

MEDIEVAL AND RENAISSANCE
TEXTS AND STUDIES
VOLUME 393



Our Lady's Lawsuits in
L'Advocacie Nostre Dame
(*Our Lady's Advocacy*)
and
La Chapelerie Nostre Dame de Baiex
(*The Benefice of Our Lady's Chapel in Bayeux*)

"Avocat en ciel et en terre"

Judith M. Davis *and* F.R.P. Akehurst
Translators

Based on the Text Edited by Gérard Gros

ACMRS
(Arizona Center for Medieval and Renaissance Studies)
Tempe, Arizona
2011

Published by ACMRS (Arizona Center for Medieval and Renaissance Studies)
 Tempe, Arizona
 © 2011 Arizona Board of Regents for Arizona State University.
 All Rights Reserved.

Library of Congress Cataloging-in-Publication Data

Our lady's lawsuits in l'Advocacie nostre dame (Our lady's advocacy) ; and, La chapelerie nostre dame de Baieux (The benefice of our lady's chapel in Bayeux) / Judith M. Davis and F.R.P. Akehurst, translators ; based on the text edited by Gérard Gros.

p. cm. -- (Medieval and Renaissance texts and studies ; v. 393)

Includes bibliographical references and index.

ISBN 978-0-86698-441-6 (alk. paper)

1. French literature--To 1500--Translations into English. 2. Mary, Blessed Virgin, Saint--Legends. I. Davis, Judith M. (Judith Mary) II. Akehurst, F. R. P. III. Gros, Gérard. IV. Advocacie Nostre Dame. English. V. Chapelerie Nostre-Dame de Baieux. English.

PQ1302.F5O87 2011

841'.109--dc22

2011007174

Cover Image

Paris, Bibliothèque Nationale de France, MS fr. 1103, f. 40v.

Published with the permission of Bibliothèque Nationale de France.

∞

This book is made to last. It is set in Adobe Caslon Pro, smyth-sewn and printed on acid-free paper to library specifications.
Printed in the United States of America

TABLE OF CONTENTS

<i>Preface</i>	vii
<i>Acknowledgements</i>	ix
<i>Introduction to the Works</i>	xi
Dates and Authorship	xiii
Manuscripts	xv
Editions	xix
The <i>Advocacie</i> :	xxi
Genres, Audiences, Theological and Religious Contexts, Sources, Legal Procedure	
The <i>Chapelerie</i> :	xxxiii
Genres, Audience, Sources, Theological and Religious Contexts, Historical Context, Legal Procedure	
Translators' Comments	xxxviii
<i>l. Advocacie Nostre Dame/Our Lady's Advocacy</i>	1
Notes	121
<i>l.a Chapelerie Nostre Dame de Baieux/The Benefice of Our Lady's Chapel in Bayeux</i>	133
Notes	177
Bibliography	185

INTRODUCTION

Much French religious literature of the fourteenth century strikes a doleful note of melancholy in that "calamitous" era of plague and warfare. Two Anglo-Norman narrative poems, however, stand out as exceptions: *L'Advocacie Nostre Dame* (*Our Lady's Advocacy*) and its companion piece, *La Chapelerie de Baiex* (*The Benefice of Our Lady's Chapel in Bayeux*). The *Advocacie* offers a sophisticated and dramatic rendering of theological debates about the nature of the Fall and Redemption, emphasizing the role of the Virgin Mary in the economy of salvation. The *Chapelerie* offers an exceptional and critical insight into the contemporary struggle between church and crown over control of ecclesiastical revenues, highlighting the putative role of the Virgin in preserving for the bishop the income from the benefice of the church that bears her name. Written in octosyllabic rhyming couplets, the two works operate within a legal framework, treating a variety of issues and procedures governed by both civil and canon law.

The importance of the *Advocacie* lies in its status as the first French vernacular interpretation of an ancient theme: Satan making his claim to human souls before a heavenly court. The subject of this narrative is a trial in a court of law where Jesus is judge; Satan is attorney on behalf of the plaintiffs, denizens of Hell; and Mary acts as advocate for the defense. Satan seeks justice from the court for having been deprived of the right to his share of souls, won by Hell — and lost to God — as he claims, through the sin of Adam and Eve. After Jesus rebuffs his attempt to bring a criminal suit against the human race, Satan presents a power of attorney from Hell which authorizes him to proceed in a civil suit; Jesus finds it to be without error, accepts it, and sets the court date for Good Friday.

In a council of Heaven parallel to the council of Hell that gave Satan his credentials as attorney, Mary accepts the role of advocate for the defense. The Virgin asks God to deny the Devil's claim, and although Satan is expert in canon and civil law, Mary proves to be an effective defense counsel. When Satan insists that he must be restored to peaceful possession of the souls he previously held by right of adverse possession, Mary responds that Satan never had good title to those souls but possessed them in bad faith. A frustrated Satan then resorts to divine law, citing the Genesis tale of the Fall; Mary counters that since he was the cause of that Fall that argument should fail, otherwise Satan would benefit from his fraud.

To make her case during her juridical battle with Satan, the Virgin cites customary law and Roman law as well as canon law and papal decretals. For more than half the proceedings, she conducts herself in the character of a highly capable advocate, although this competence includes *ad hominem* attacks on her opponent. She vilifies Satan, frustrates his legal maneuverings, and presents her case eloquently and forcefully. When her adversary persists, however, she throws herself down before Jesus, appealing to him in a dramatically emotional pleading. With the encouragement of her divine Son, she resumes her previous mode of refuting Satan's arguments, stating that Christ's death on the cross outweighed the world's sin, and that when humans repent, God extends mercy. She makes a final tearful appeal to Jesus, after which there is no doubt of the outcome. Jesus delivers the verdict that all humans who have repented and confessed will be admitted to Paradise. God the Father and the Holy Spirit concur. The Devil is beaten; the court spectators rejoice and the affair ends with a resounding *Salve Regina*.

Like the *Advocacie*, the *Chapelerie* concerns opposing claims of title and possession, this time involving two different bishops of Bayeux, Pierre de Benais and Guillaume de Trie, who succeeded Pierre in office, and representatives of two kings: Philip IV (reigned 1285–1314) for the first lawsuit and Philip V (reigned 1316–1322) for the second. At issue in this shorter work is the benefice or "living" from the Virgin Mary's chapel in Bayeux. The king's men argue that the income of the benefice derives from the chapel situated on the king's property, his castle. The bishops allege a two-hundred-year-old right to the income based on a charter from William the Conqueror (reigned 1066–1087) granting the benefice to their predecessor, his half-brother Odo, bishop of Bayeux.

The first case recounted in the *Chapelerie* is an appeal from the local authority to the king's Treasury, a court comparable to the Court of the Exchequer in English law. Bishop Pierre represents his own interests and a prosecutor, Laurent Hérout, advances those of the crown. The bishop expresses publicly his wish for the chastisement of anyone who would deprive Our Lady of her due; Hérout mocks him and is struck dead as soon as he returns to his townhouse. Interpreted as a sign of the Virgin's punishment, Hérout's death inspires general pity and fear. The officers of the Treasury Court, especially, find it prudent to render a verdict in favor of the bishop.

Some time later, the king overrides the first verdict at the instigation of his courtier, Adam d'Orléans, and bestows the benefice by fiat on a cleric named Pierre l'Archier. Bishop Guillaume de Trie takes the lawsuit to the king's court at Paris and there demands to be put back in possession of Our Lady's benefice. In Paris, even before the two sides begin their pleadings, Bishop Guillaume asks the Virgin Mary to expedite her case and demands how she can let enemies of her Church live. His malediction takes effect. Adam d'Orléans becomes violently ill and dies after learning that the king's court has rendered a judgment in favor of Our Lady and her bishop. The real sentence in this case, however, is pronounced by the author, who declares that both Hérout and Adam deserved to

die — spiritually as well as bodily — for daring to oppose the Virgin: she is the advocate on earth as well as in heaven of all those who call upon her.

Of the two works, the *Advocacie* is by far the more entertaining and complex. It refers with equal ease to canon and civil law, Marian legends, books of the Old and New Testaments, and theological commentaries ranging from the fourth through the thirteenth centuries. The author combines elements of a courtroom drama and a homiletic exegesis on the Atonement with an account of the Virgin Mary's miraculous mediation. Multigeneric and multivalent, the *Advocacie* challenges modern readers esthetically and intellectually. In the *Chapelerie*, on the other hand, the author refers to historically verifiable persons and lawsuits conducted in both the regional court of Bayeux and the king's court at Paris, comparing the malefactors in his tale to New Testament evildoers but providing little embellishment to his narrative. This work has more in common with Marian tales of the previous century — especially those that deal with Mary's punishment of those who thwart her will — than with more erudite genres. Given its mixture of history and legend, it may be classified as a *miracle à clef*.

Dates and Authorship

We can be reasonably certain that both works were written between 1321 and 1324. Editors and historians alike have cited evidence of the two lawsuits that pitted the bishops of Bayeux against representatives of the French king. The author of the *Chapelerie*, who identifies himself as an eyewitness to the second suit, states in line 675 that the verdict was rendered in 1321. The bishop involved in that action was Guillaume de Trie, who held the bishopric until 1324. Most scholars believe that both the *Advocacie* and the *Chapelerie* were written within that three-year period, although it is possible that the *Advocacie* was written earlier.¹

There is good evidence and critical opinion that a single author wrote both works. Gaston Raynaud stated that the two were "inseparable" and that the *Chapelerie* was a "personal work" of the "translator who had put the *Advocacie* into

¹ Gérard Gros, "L'*Advocacie Notre Dame* et la *Chapelerie Notre Dame de Baiex* par l'anonyme de Bayeux" (Ph.D. diss., University of Paris IV, 1980), 20. Alphonse Chas-sant, who published extracts from the *Advocacie*, was among the first to date both works: *L'Advocacie Notre Dame ou La Vierge Marie plaidant contre le Diable* (Paris: Aubry, 1855), x-xi. For a fuller treatment of dates based on the events recounted in the *Chapelerie*, see Charles Langlois, "L'Anonyme de Bayeux, auteur de quatre poèmes en français," in *Histoire Littéraire de la France* (Paris: Imprimerie Nationale, 1926), 35:385–94, here 390–93. See also Gaston Raynaud's preface to Anatole de Montaiglon, *L'Advocacie Notre-Dame et La Chapelerie Notre-Dame de Baiex* (Paris: Académie des Bibliophiles, 1869; preface 1896), v-vi.

rhyme.”² Anatole de Montaiglon numbered the lines of the two works consecutively, treating them as one. Charles Langlois believed that both works, as well as the two poems that preceded them in the only manuscript in which both appear, were written by the same author.³ Gérard Gros’s study of language and versification indicates a single author.⁴ Gros also noted that the first line of the *Chapelerie* represents a transition from and completion of the *Advocacie*, observing that the Virgin demonstrates her power in both heavenly and earthly courts.⁵ We believe that these arguments in favor of a single author appear convincing.

Exact identification of the author has eluded scholars thus far. During the nineteenth century and well into the twentieth, some attributed authorship of both works to one Jehan or Jean de Justice. Alphonse Chassant based his attribution on the opinion of Victor Pezet, a jurist who had published the text of the *Chapelerie* in 1848.⁶ In a later article, Pezet described Jehan de Justice (d. 1353) as a canon of the cathedral of Bayeux and a lawyer in the parlement of Paris.⁷ Gaston Raynaud was uncertain about the authorship.⁸ Charles Langlois observed that Jean de Justice was a cleric in the service of the king, and if indeed he had witnessed the events of the trial that ended in 1321, he would have exercised his influence to thwart rather than support the claims of the bishop.⁹ Gérard Gros agrees with Langlois, as does A.-F. Labie-Leurquin.¹⁰

Other scholars speculated that the *Advocacie*, in particular, was the work of a pre-eminent fourteenth-century jurist, Bartolo da Sassoferrato, the putative author of a “Satan’s lawsuit” entitled *Tractatus quaestionis ventilatae coram D. Jesu*

² Raynaud, “Preface,” v–vi.

³ Langlois, “L’Anonyme,” 394. Langlois observed that the *Advocacie* and *Chapelerie* were assigned one *incipit* or beginning line by Arthur Langfors, *Les Incipit des poèmes français antérieurs au XVI^e siècle* (Paris: Champion, 1917), 389.

⁴ Gros, “L’*Advocacie*,” 27–36.

⁵ Gérard Gros, “L’*Avocate* et sa vocation: Étude sur la dramatisation d’une propriété mariale dans l’*Advocacie Nostre Dame*,” in *Le Jeu théâtral, ses marges, ses frontières: Actes de la deuxième rencontre sur l’ancien théâtre européen de 1997*, ed. Jean-Pierre Bordier et al. (Paris: Champion, 1999), 125–40, here 128–29.

⁶ Chassant, *L’Advocacie*, x–xi. Pezet’s edition of the *Chapelerie* appeared in the *Recueil des travaux de la Société libre d’agriculture, sciences et arts de l’Eure*, 2^e série, 8 (1847–1848): 314–49.

⁷ V[ictor] Pezet, “Notice Explicative sur un poème manuscrit du commencement du XIV^e siècle, ayant pour titre: La Chapelle de Baiex,” *Bulletin de la Société d’agriculture, sciences, arts et belles-lettres de Bayeux* 5 (1850–1851): 103–49, here 144.

⁸ Raynaud, “Preface,” vi. He did admit the possibility that Jean de Justice could have been the author, however.

⁹ Langlois, “L’Anonyme,” 393–94.

¹⁰ Gros, “L’*Advocacie*,” 21; Anne-Françoise Labie-Leurquin, “Jean de Justice,” in *Dictionnaire des lettres françaises: Le moyen âge*, ed. Geneviève Hasenohr and Michel Zink (Paris: Fayard, 1992), 794–95.

Christo inter Virginem Mariam, ex una parte, et diabolum, ex alia parte (“A Treatise on the Questions Raised in the Court of Our Lord Jesus Christ between the Virgin Mary, the Party of the First Part, and the Devil, the Party of the Second Part”), also known as the *Processus Satanae contra Beatam Virginem coram iudice Jesu* (“The Case of Satan vs. the Blessed Virgin in the Court of Jesus the Judge”).¹¹ The dating of this work, which bears a very close resemblance to the *Advocacie*, has proved problematic. If indeed the *Tractatus/Processus* is the work of Bartolo da Sassoferrato, it postdates the *Advocacie*, for Bartolo was born in 1313 or 1314 and the *Advocacie* was written between 1321 and 1324. If the *Tractatus/Processus* is not the work of Bartolo, it may predate the *Advocacie* — but it may be based on or constitute an elaboration of earlier Latin works. It is also possible that the *Advocacie* circulated in learned circles and later was adapted by and attributed to Bartolo; both the *Advocacie* and the *Tractatus/Processus Satanae* employ protracted and technical legal arguments to explicate Church doctrines regarding the Fall and Atonement within the framework of a court trial. The two works probably had a common Latin source (see below).

The author of the *Advocacie* and the *Chapelerie*, then, remains anonymous. He was in all probability a canon lawyer attached to the episcopal court of Bayeux. Highly educated, undoubtedly a cleric, master of multiple discourses, he was well versed in both canonical Scripture and apocrypha; Roman, canon, and customary law; theological treatises covering a wide range of time and topics; and Marian hymns and literature, including her miracles. The *Chapelerie* testifies to his familiarity with contemporary events as well as Marian tales. He was certainly privy to knowledge about the events of the first lawsuit he describes and had first-hand knowledge of the second, as he often reminds his audience. He may well have been the cleric who accompanied Guillaume de Trie to Paris.¹²

Manuscripts¹³

Of the manuscripts described below, only one contains the *Chapelerie*. The success enjoyed by the *Advocacie* both during and after the era of its composition was no doubt due in part to the appeal of its “Mary vs. Satan” theme and in part to the

¹¹ Bartolo da Sassoferrato, *Tractatus quaestionis ventilatae coram D. Iesu Christo inter Virginem Mariam, ex una parte, et diabolum, ex alia parte*, in *Opera*, vol. 11 (Venice: Giunta, 1580–1581), 127–29.

¹² Based on the author/narrator’s first-person observations in the *Chapelerie*, Gros considers it likely that he was the clerk of Bishop Guillaume de Trie of Bayeux (“L’*Advocacie*,” 20, 249).

¹³ Manuscript descriptions appear in Gros, “L’*Advocacie*,” 5–11 and are translated here. Gros adds another fragment contained in Paris, Bibliothèque Nationale n. acq. fr. 20001 (end of the copy of the text detached from the Dijon manuscript). See G. Gros, *Le*

Bibliophiles. Mai 1869. In-12, viii-136 pages. 200 copies on Holland paper, 10 on Chinese paper. On the back of the book there is a tailpiece bearing the motto "En apprenant mourant," "Dying while learning," Montaiglon's motto. Another series (a reprint of the entire book or perhaps only a change of cover) carries in the same place a banderole bearing the motto, "Encore plus de lumière," "More light" — 1866.

Montaiglon had prepared and printed the text in 1869 for the Académie des Bibliophiles but wanted to collate his text with that of the Dijon manuscript. He died in 1895 before completing his work; Gaston Raynaud directed the publication of the text the following year, adding a preface of his own.

Montaiglon's edition is a considerable improvement over Chassant's, providing the complete texts of both the *Advocacie* and the *Chapelerie* and numbering the lines consecutively for the two works. The transcription and the syntactic and stylistic establishment of the text are for the most part accurate. Until the end of the twentieth century, this edition — with its useful glossary and preface — served a limited readership well.

Gérard Gros, 1980

This edition was presented as a doctoral thesis to the University of Paris IV (Sorbonne) in 1980: "*L'Advocacie Nostre Dame*, suivie de *La Chapelerie Nostre Dame de Baieux*, par l'Anonyme de Bayeux. Edition avec Introduction, Notes et Glossaire par Gérard Gros." Typed manuscript, 278 pages. Gros wished to offer a scholarly presentation of the text that incorporated variants from all the known manuscripts, contained explanatory notes, and expanded the glossary — especially since the Montaiglon edition, limited and long out of print, was virtually inaccessible in all but a few university libraries.

Like Montaiglon, Gros used the manuscript of Évreux (Bibliothèque Municipale, MS. 8), the only one to present the totality of both the *Advocacie* and the *Chapelerie*, as his *texte de base*. He examined this manuscript and the Paris manuscript (Bibliothèque Nationale, MS. 1103) on site, consulting the Dijon and Tours manuscripts in microfilm. His edition contains the text (A) of the two works on the right-hand page. On the left-hand page are listed all of the variants (B, C, D) that, he believed, had the potential to alter the sense of a given line. Gros numbered the lines of the *Advocacie* and the *Chapelerie* separately. Like Montaiglon, he added some accents and diacritic marks that were seldom used in the fourteenth century, such as the *accent grave*.

Following the notes to the *Advocacie*, the edition adds two appendices to this work. The first compares the *Advocacie* with the *Processus Sathanae* attributed to Bartolo da Sassoferrato; the second incorporates line references to the Roman law *Digest*. The notes to the *Chapelerie* are followed by a brief list of proverbs and folk sayings; a list of images taken from bestiaries; an index of proper names; and a glossary, all of which include references to both works.

The *Advocacie*: Genres, Audiences, Sources, Theological And Religious Contexts, Law

Genres

Given the complexity of the *Advocacie*, it is difficult to assign it to any one genre. Twentieth-century scholars recognized the dramatic character of the work, but there was no consensus regarding its intended audience or effect. Gérard Gros calls it "semi-dramatic" and notes that the Dijon manuscript, in particular, deliberately separates the dialogue from the narration.²¹ Moshe Lazar and Dan Terkla treat the *Advocacie* as a dramatic work. Lazar sees Satan and Notre Dame as "characters in a popular scenario," players in a "divine chess game [in which] the White Queen inevitably defeats the Black King";²² he published large segments of the *Advocacie* in modern French in the form of a prose drama.²³ Terkla places it "under the sub-heading of what [Hope] Traver called a '*processus jocoserius*,' that is, a text which portrays a 'humorous judicial procedure'" and calls it "a Basochian proto-drama" which prefigured the fifteenth-century Basochian *causes grasses* or burlesque lawsuits.²⁴ Jody Enders cites the *Advocacie* as an example of the "*letteraturizzazione* of rhetoric" that "traditionally inspired rhetorico-dramatic

²¹ Gérard Gros, "Le Texte narratif au seuil de la dramatisation: L'Exemple de *L'Advocacie Nostre Dame* (au Manuscrit de Dijon, Bibl. Mun., 525)," in *L'Economie du dialogue dans l'ancien théâtre européen*, ed. Jean Bordier (Paris: Champion, 1999), 53–68, here 60.

²² Moshe Lazar, "Satan and Notre Dame: Characters in a Popular Scenario," in *A Medieval French Miscellany*, ed. Norris J. Lacy (Lawrence: University of Kansas Publications, 1972), 1–14, here 6. Like Lazar, Steven Taylor comments on Gautier de Coinci's use of chess imagery a century before the *Advocacie*, calling Mary "God's Queen" in the "cosmic chess game [that] was . . . a compelling one in the medieval cultural context": "God's Queen: Chess Imagery in the Poetry of Gautier de Coinci," *Fifteenth Century Studies* 17 (1990): 403–19, here 411. See also Marilyn Yalom, *Birth of the Chess Queen* (New York: HarperCollins, 2004), chap. 7, "Chess and the Cult of the Virgin Mary."

²³ Moshe Lazar, *Le Diable et la Vierge: Textes dramatiques du moyen âge* (Paris: Christian Bourgeois, 1990). In 1994, F.R.P. Akehurst presented segments of an English translation and legal commentary in "*L'Advocacie Nostre Dame*: A Law Suit Made in Heaven" at the 29th International Congress on Medieval Studies in Kalamazoo, Michigan, directing some of his colleagues in a dramatic interpretation of the work.

²⁴ Dan Terkla, "A Basochien Proto-Drama and Its Mariological Context: *L'Advocacie Nostre Dame*," *Medieval Perspectives* 6 (1991): 87–100, here 91. Terkla points out (94) that the Basoche was an organization of Parisian law clerks "and was founded sometime around 1303, during the time of Philip the Fair (1268–1314)." For the fictitious, often burlesque cases brought by the Court of the Basoche, see Howard Graham Harvey, *The Theatre of the Basoche: The Contribution of the Law Societies to French Medieval Comedy* (Cambridge, MA: Harvard University Press, 1941). See also Hope Traver, "The Four Daughters of God: A Mirror of Changing Doctrine," *PMLA* 40 (1925): 44–92.

forms," identifying it as a "dialectical" work that "would encourage revelation of a reflection on moral and theological truths."²⁵ Monique Léonard recognizes the varieties of genre represented by the *Advocacie* and relates it to disputations, debates, miracle tales, and prayers.²⁶

Contemporaries of the *Advocacie's* author saw the dramatic potential in this text. A fragment of a fourteenth-century manuscript found by Graham Runnalls in the Bibliothèque Municipale of Angers contains a play "more than one-third of the lines [of which] . . . also appear in the *Advocacie Nostre Dame*."²⁷ This dramatization may have been influenced by the author's knowledge of the Dijon manuscript, also dating from the fourteenth century, that features rubrics designating different sequences of the work, functioning as chapter titles or signaling the identity of the character who is speaking.²⁸

Dramatic tension in the *Advocacie* is heightened by the theological and legal ramifications of the antagonists' arguments: this is not merely a highly intellectual *disputatio*, complete with references to Scripture, church fathers, theological authorities, Marian devotions, canon law, and civil law. It is also a vivid illustration of the chicanery, insult-laden pleadings, and histrionic gestures that, we may infer, often prevailed in medieval courts of law.²⁹

Barbara Newman has proposed "a new category of medieval writing, 'imaginative theology,'" to describe "the pursuit of serious religious and theological thought through the techniques of imaginative literature."³⁰ We believe that the

²⁵ J. Enders, *Rhetoric and the Origins of Medieval Drama* (Ithaca and London: Cornell University Press, 1992), 33, 165–67. Enders calls the work a "literary trial" and observes that "the author commemorates simultaneously the passage from mnemonic to dramatic image and from histrionic legal delivery to drama" (222), presenting a detailed account of the plot (223–33).

²⁶ M. Léonard, *Le Dit et sa technique littéraire des origines à 1340* (Paris: Champion, 1996), 28–32, 324–31.

²⁷ Graham Runnalls, "The *Mystère de l'Advocacie Nostre Dame*: A Recently Discovered Fragment," *Zeitschrift für Romanische Philologie* 100 (1984): 41–77. Runnalls observes that in no other French mystery play "does the Virgin Mary intervene on behalf of mankind and become involved in a three-sided argument, placed in a legalistic context, with God and the Devil" (44–45).

²⁸ See Gros, "Le Texte Narratif," 53–68. Gros also notes that 67.57 percent of the lines in the narrative *Advocacie* — two-thirds of the text — consist of speeches: "L'Avocate," 135.

²⁹ Louis Cons recognized similarities in the depiction of legal procedure between the *Advocacie* and *La Farce de Pathelin*: *L'Auteur de la Farce de Pathelin* (Princeton: Princeton University Press, 1926), 152–53. He dismissed the idea that either work originated in the Basoche (154). Enders emphasized the role of the actor in both the theater and the courtroom in her chapter "From Legal Ritual to Dramatic Representation in Classical Antiquity and the Middle Ages," *Rhetoric*, 69–128.

³⁰ B. Newman, *God and the Goddesses: Vision, Poetry and Belief in the Middle Ages* (Philadelphia: University of Pennsylvania Press, 2003), 292–95.

Advocacie is a work of imaginative theology that incorporates drama, doctrinal interpretation, and illustrations of legal procedure, both straightforward and slippery. Satan, as befits his name (in Hebrew *ha-satan*, the accuser or adversary), opposes the Virgin Mary who embodies the definition of advocate (from the Latin *advocata*, called to plead or intercede on behalf of another) in a clever exposition of learned religion that is also accessible — through its burlesque of legal procedure and the extravagant behavior of its antagonists — to a less learned audience.³¹

Audiences

The courtroom setting of the *Advocacie* lends itself to "performative theology" in its dramatic presentation of opposing doctrinal points of view. Performative elements also entered into the delivery of sermons and the telling of pious tales, encouraged by the Fourth Lateran Council to combat heresy and appeal to the laity.³² During the thirteenth and fourteenth centuries, in particular, the church emphasized more affective means of reaching a lay audience whose members often lacked even rudimentary knowledge of their religion.³³

The drama as well as the theme of the *Advocacie* derive from a truly ancient source: the rite of exorcism of catechumens prior to their baptism, usually performed on Holy Saturday after a day of preparation on Good Friday. In this paraliturgical performance, first described by Theodore of Mopsuestia in the late

³¹ The perennial opposition of Mary and Satan in medieval tales and plays was based on Genesis 3:15, in which God says to the serpent (Satan), "I will put enmity between you and the woman and between your offspring and hers; he will strike your head, and you will strike his heel." Mary was considered the "new Eve" and Jesus, her Son, would defeat the Devil through His death on the cross.

³² The dramatic elements of Christian ritual both suggest and illustrate theological concepts: see, for example, O.B. Hardison, Jr., *Christian Rite and Christian Drama in the Middle Ages: Essays in the Origin and Early History of Modern Drama* (Baltimore: Johns Hopkins University Press, 1965). Evelyn Vitz has emphasized the performative aspects of medieval romance, hearing in the octosyllable an ideal line for recitation and performance and emphasizing the importance of the voice in romance works: *Orality and Performance in Early French Romance* (Cambridge: D.S. Brewer, 1999). See also Adrian P. Tudor, "Preaching, Storytelling, and the Performance of Short Pious Narratives," in *Performing Medieval Narrative*, ed. Evelyn Birge Vitz, Nancy Regalado, and Marilyn Lawrence (Woodbridge: D.S. Brewer, 2005), 141–53.

³³ Michel Sot, Jean-Patrice Boudet, and Anita Guerreau-Jalabert, *Histoire culturelle de la France: Le Moyen Âge* (Paris: Seuil, 1997), characterize the use of the vernacular, in particular, as "a style and mode of expression adapted to a public interested in theology but needing constant reminders of the basic fundamentals of faith and dogma" (153–54).

fourth century,³⁴ "catechumens dress and behave in such a way as to emphasize their miserable state of captivity under Satan." The exorcists serve as advocates for these prisoners, taking "the role of lawyers who plead with God in a suit on behalf of their clients. . . . Satan is present as defendant, and God is the judge" in this "courtroom drama." God hands down a verdict condemning the Devil and the candidates are free to renounce Satan, "all his angels, all his service, all his illusion, and all his pomp."³⁵

The *Advocacie* would offer a similar dramatization in a much more accessible vernacular form to an audience of catechumens, an "interpretive community"³⁶ whose members would have been much better prepared to understand the rite of baptism, conducted in Latin, after an introduction in their own language.³⁷

The *Advocacie* could also have been destined for an audience of lawyers. The academic *disputatio*, or debate, had been common to the study of law and theology since the middle of the twelfth century. Debate scenes also figured prominently in religious drama.³⁸ The adversaries in these disputes cited both the ancient Roman law (preserved in the *Digest* rediscovered in Pisa during the eleventh century) and canon law (the first section of which, the *Decretum*, was compiled by Gratian and others in about 1140). Theoretical or fictitious cases were compiled and presented as academic exercises called *brocarda* during the thirteenth and fourteenth centuries. Procedural treatises proliferated during this time; known as *ordines*, such treatises first appeared in the second half of the twelfth century. Written in Latin, they "satisfied throughout Europe the need for thorough descriptions of procedures."³⁹ Perhaps the most famous *ordo* was the *Speculum iudiciale* of Guillelmus Durandus (Guillaume or Guilhem Durand). "[W]ritten

³⁴ See Raymond Tonneau and Robert Devreesse, trans., *Les Homélies catéchétiques de Théodore de Mopsueste* (Vatican City: Biblioteca Apostolica Vaticana, 1949), 351–61.

³⁵ Henry Ansgar Kelly, *The Devil at Baptism: Ritual, Theology and Drama* (Ithaca: Cornell University Press, 1985), 149–50.

³⁶ Vitz, *Orality*, 281.

³⁷ Gros stated that the *Advocacie* posed several problems, citing audience as one example and suggesting that perhaps the work could have been read on a liturgical feast such as Easter: "Le Diable et son adversaire dans *L'Advocacie Notre Dame*," in *Le Diable au moyen âge*, *Senefiance* 6 (Aix-en-Provence: Publications de l'Université de Provence, 1979): 239–58, here 239. This view is supported by the work of Hardison, Tudor, and Kelly, *supra*; the drama associated with the Holy Week liturgy includes graphic attestations to Christ's victory over the powers of Hell as well as rejections of Satan by the catechumens.

³⁸ Moshe Lazar emphasized that works of the early theater "complete the sermon" by offering concrete illustrations of "the *exempla* and [their] abstractions": "Enseignement et Spectacle: La 'Disputatio' comme 'scène à faire' dans le drame religieux du moyen âge," *Scripta Hierosolymitana* 19 (1967): 126–43, here 127.

³⁹ Linda Fowler-Magerl, *Ordines Iudicarii* and *Libelli de Ordine Iudiciorum* (Turnhout: Brepols, 1994), 56.

between 1271–76 and revised 1289–91," the *Speculum* was "a manual of procedural law, including criminal procedure, in ecclesiastical courts. The procedural law of . . . Roman law had been taught, but it had been combined with local procedure in different ways in different places. Durandus . . . produced a unified code. . . . This manual remained very popular for centuries."⁴⁰ The *Speculum* states at one point that "even the [D]evil should have his case heard in court."⁴¹

A medieval audience of both canon and civil lawyers would have been entertained — and perhaps informed — by this celestial trial. Theologians would have understood the subtle ramifications of the antagonists' arguments. The general public would have enjoyed Satan's antics as well as the impassioned extravagance of Mary's pleadings on their behalf. And all would have been edified at the "happy ending" that assured the repentant sinner of God's divine mercy.

Theological and Religious Contexts

No previous scholarship has dealt extensively with the theological background of the *Advocacie*; commentators have either missed or ignored the religious dimensions of the work, although Gros included numerous scriptural references in his edition. The focus of all the legal maneuverings of the poem, however, is the defeat of the Devil by Christ's death on the cross in atonement for the sins of the world.

Satan's claim to the souls of humankind is based first of all upon the story of Adam and Eve's fall recounted in Genesis. Since that time, according to the apocryphal *Gospel of Nicodemus*, the Devil held captive in Hell all who had died since the Fall. After his death and before his resurrection, however, Christ descended into Hell (an event called the Harrowing of Hell) and delivered the souls held in captivity there, depriving Satan of what the Devil viewed as his.⁴² The

⁴⁰ F.R.P. Akehurst, "Guillelmus Durandus," in *The Rise of the Medieval World 500–1300: A Biographical Dictionary*, ed. Jana K. Schulman (Westport, CT: Greenwood Press, 2002), 185–86. The Basel edition of the *Speculum* was reprinted in Aalen by Scientia Verlag in 1975.

⁴¹ Quoted in Kenneth Pennington, "Due Process, Community and the Prince in the Evolution of the *Ordo iudicarius*," *Rivista internazionale di diritto comune* 9 (1998): 9–47, here 36.

⁴² The *Gospel of Nicodemus* dates from about the mid-fourth century, although the idea dates back to the second century, according to Montague Rhodes James, ed. and trans., *The Apocryphal New Testament*, 2nd ed. (Oxford: Clarendon Press, 1989), 95. Zbigniew Izydorczyk places the Latin translation which is the origin of "[a]ll West European vernacular versions" in the fifth century: *The Medieval Gospel of Nicodemus: Texts, Inter-texts, and Contexts in Western Europe*, MRTS 158 (Tempe, AZ: ACMRS, 1997), 43–101, while in the same volume Richard O'Gorman describes it in the "Vernacular Literature of Medieval France," 103–31. O'Gorman cites three Norman versions of the work dating from the thirteenth century (104–5). Jacobus de Voragine (c. 1230–1298) cited the *Gospel*

Church fathers couched Satan's claim to human souls in terms of "the Devil's rights,"⁴³ and throughout the Middle Ages theologians debated the existence and nature of those alleged rights as well as whether Adam's fall incurred a debt to Satan or to God. Related debates concerned the satisfaction of that debt and the continuing "rights of Satan" to the souls of humankind. Augustine (354–430) and others held that the fall of Adam and Eve incurred a debt to the Devil, recorded in a decree attested in Colossians 2, that was destroyed by Christ's death on the cross. Although that debt was wiped out, Satan still could claim rights to — and exercise power over — human souls due to their sinful state. Anselm (1040–1109) and his followers, on the other hand, maintained that the Fall incurred a debt to God rather than Satan and that Christ's death had paid that debt in full. They dismissed the idea that the Devil had any rights to humankind because everything and everyone ultimately belonged to God.⁴⁴ The scholastic theologian Thomas Aquinas (1225–1274) upheld Anselm's position, stating that "the Devil's power was dependent only upon humanity's state of sin; therefore, the forgiveness of sins and the reconciliation to God [through Christ's passion and death] meant the end of the Devil's power."⁴⁵ The *Advocacie* presents a brief for the more merciful Anselmian and Thomistic interpretations of the Fall and Redemption in a format which renders doctrine accessible to audiences of clerics and lay folk alike.

The religious background of both the *Advocacie* and the *Chapelerie* reflects a Mariology that began with the Church fathers in the second century and reached its high point in the thirteenth, when hundreds of legends and tales about the Virgin's miraculous interventions in human affairs circulated throughout the Christian world. Mary was the subject of homilies, psalters, books of hours, offices, songs, poems, prose works, masses, hymns, and dramas.⁴⁶ Descriptions of

of Nicodemus in his commemoration of Christ's resurrection: *The Golden Legend*, trans. William Granger Ryan, 2 vols. (Princeton: Princeton University Press, 1993), 1:222–24. Note: the Dijon manuscript containing the *Advocacie* also features the *Évangile de Nicodème* (see above, xvii).

⁴³ Kevin J. Ruth, "Toward a Vision of the Devil's Rights in the Theatre of Late Medieval Europe" (Ph.D. diss., Rutgers University, 2004), presents a complete history of the concept of the Devil's rights (10–75).

⁴⁴ For an extensive analysis of the two positions, see C.W. Marx, *The Devil's Rights and the Redemption in the Literature of Medieval England* (Cambridge: D.S. Brewer, 1995). Emily Steiner discusses the implications of Colossians in *Documentary Culture and the Making of Medieval English Literature* (Cambridge: Cambridge University Press, 2003), 100–3.

⁴⁵ Marx, *The Devil's Rights*, 43; Ruth, "Toward a Vision of the Devil's Rights," 53–57.

⁴⁶ Literally scores of books and articles dealing with medieval Marian miracles appeared during the twentieth century, among them Hilda Graef, *Mary: A History of Doctrine and Devotion*, combined ed. (London: Sheed and Ward, 1990); Jaroslav Pelikan, *Mary Through the Centuries* (New Haven: Yale University Press, 1996); Marina Warner,

Mary as *advocata* appeared in countless medieval devotional works.⁴⁷ Litanies invoked her as the refuge of sinners and comforter of the afflicted; and the antiphon *Salve Regina*, or "Hail, Holy Queen," cited in the *Advocacie* and alluded to in the *Chapelerie*, undergirds both works. It is worth quoting in full here for the images that pervade the *Advocacie* in particular:

Salve, Regina, Mater misericordiae, vita, dulcedo, et spes nostra, salve. Ad te clamamus, exules filii Evae. Ad te suspiramus, gementes et flentes in hac lacrymarum valle. Eia ergo, advocata nostra, illos tuos misericordes oculos ad nos converte. Et Jesum, benedictum fructum ventris tui, nobis post hoc exilium ostende. O clemens! O pia! O dulcis Virgo Maria!

Hail, holy Queen, mother of mercy, our life, our sweetness and our hope! To thee do we cry, poor banished children of Eve; to thee do we send up our sighs, mourning and weeping in this valley of tears. Turn then, most gracious Advocate, thine eyes of mercy towards us, and after this our exile show unto us the blessed fruit of thy womb, Jesus. O clement, O loving, O sweet Virgin Mary!⁴⁸

As Gros observed, both texts illustrate her advocacy of the human race, "more or less implicitly in this world, explicitly in the other."⁴⁹ Her ability to reward or punish was taken for granted, as Gautier de Coinci and others had established, and it would have been no surprise to either a learned or an illiterate audience that opponents (the Devil in the *Advocacie* and the king's men in the *Chapelerie*) of Mary and her servitors would meet miserable ends.

Alone of All her Sex (New York, Vintage, 1983); Sally Cuneen, *In Search of Mary* (New York: Random House, 1996); and David A. Flory, *Marian Representations in the Miracle Tales of Thirteenth-Century Spain and France* (Washington, DC: Catholic University of America Press, 2000). A comprehensive analysis of Marian miracles appears in Paule Bétérou, *Les Collections de Miracles de la Vierge en Gallo- et Ibéro-Roman au XIII^e siècle* (Dayton, OH: University of Dayton, 1983–1984).

⁴⁷ See, e.g., Johannes Jacobus Bourassé, *Summa aurea de laudibus Beatissime Virginis Mariae*, vol. 9 (Paris: J.-P. Migne, 1862), cols. 869–875.

⁴⁸ According to Hilda Graef (*Mary*, 229), the *Salve Regina* is perhaps the best known and loved of the "so-called Marian antiphons." It was probably composed "towards the end of the eleventh century or the beginning of the twelfth. . . . [It] expresses her power as [humans'] advocate with God and her mediation between themselves and Christ." The *Salve Regina* has been attributed to Adhemar, bishop of Le Puy (d. 1098). This translation is found in Mary Ford-Grabowsky, *Spiritual Writings on Mary* (Woodstock, VT: SkyLight Paths Publishing, 2005), 192.

⁴⁹ Gros, "L'Avocate," 130: "plus ou moins implicitement en ce monde, explicitement dans l'autre."

Sources

The theme of Satan making his claim to human souls before a heavenly court has been the cause of some taxonomic confusion. Over the centuries, different versions have emphasized different theological or biblical elements, and works dealing with Satan's claim and featuring Satan and Christ or Mary — regarding both the subject and several key arguments — have been described indiscriminately as the *processus Sat(h)anae* ("Satan's lawsuit"), the *processus Belial* ("the Devil's trial"), or the *procès de Paradis* (the "trial of Paradise").⁵⁰ Under the rubric of *processus Sathanae* may be placed the twelfth-century Latin legal battle between Christ and the Devil, the *Conflictus inter Deum et Diabolum*; a thirteenth-century vernacular work, *Il Pianto di Dio con Nemico* ("The Dispute of God and the Enemy");⁵¹ the fourteenth-century *Advocacie* itself; and Bartolo da Sassoferrato's *Tractatus questionis ventilatae coram D. Jesu Christo inter Virginem Mariam, ex una parte, et diabolum, ex alia parte* ("Treatise on the Question Raised in the Court of Our Lord Jesus Christ between the Virgin Mary, the Party of the First Part, and the Devil, the Party of the Second Part"). Thirteenth-century works include a so-called "*processus Belial*" in Dutch that contains a significant number of the same plot elements as the *Advocacie*.⁵²

Later works introduced many additional biblical and historical characters (the *processus Belial* and the *procès de Paradis*).⁵³ Most of these were dramas

⁵⁰ The tradition of the *processus Satanae* has been "misleadingly called 'the trials of Satan'; it should rather be called 'Satan's lawsuit,' in which the devil is not defendant but plaintiff, pressing his claim for humanity before a divine tribunal ...": Henry Ansgar Kelly, review of C.W. Marx, *The Devil's Rights*, *Speculum* 72 (1997): 859–61, here 861.

⁵¹ *Contrasti Antichi, Cristo e Satana*, ed. Franz Roediger (Florence: Libreria Dante, 1887), 5–48.

⁵² This is *Jacob van Maerlant's Merlijn*, ed. Johannes van Vloten (Leiden: E.J. Brill, 1880). See Traver, "The Four Daughters," 50–53.

⁵³ In the late fourteenth century (1381/2), Jacopo da Theramo, bishop of Spoleto (1349–1417), wrote the *Compendium breve Consolatio peccatorum nuncupatum; et apud nonnullos Belial vocatum ad papam Urbanum sextum conscriptum*, better known as the *Processus Belial*. Theramo not only elaborated significantly on the *processus Sathanae*, but substituted Moses for Mary as the advocate and introduced a score of biblical and historical characters. Elements of this *Processus Belial*, a more Christocentric work, informed an Occitan work on the Last Judgment (see Moshe Lazar, *Le Jugement Dernier (Lo Jutgamen general)*, *Drame provençal du XV^e siècle* [Paris: Klincksieck, 1971]). These elements also influenced or appeared in Passion plays of the fifteenth century as the *procès de Paradis*. Both Mercadé and Gréban produced Passion plays which included this trial before the throne of God, featuring the "four daughters of God" (Mercy and Truth, Justice and Peace from Psalm 85) as well as characters ranging from Adam and Eve to the figures, both scriptural and fictitious, at the foot of the cross. For a cogent account of Satan's lawsuit or the "trials of Satan" through the centuries, see Marx, *The Devil's Rights*, 58–64. For an analysis of the works that include Mercy and Truth, Justice and Peace, consult Traver,

focused on Christ's suffering and death, and it is the Passion plays that can be properly identified as featuring the *procès de Paradis*.⁵⁴

Of the works dealing with the *processus Sathanae* or "Satan's lawsuit," only the *Conflictus*, the *Advocacie*, and the *Tractatus* employ protracted and technical legal arguments to explicate church doctrine regarding the Fall and Redemption within the framework of a court trial involving only two or three figures. Of these three, the *Advocacie* is unique in its use of the vernacular, its sophistication, and its encyclopedic knowledge of both sacred and secular sources.

One credible model for both the subject and several key arguments in the *Advocacie* is the earlier Latin prose work, the *Conflictus inter Deum et Diabolum*, also known as the *Altercacio Diaboli contra Christum*, dating from the mid-twelfth century. According to C.W. Marx, "[i]t is one of the earliest literary texts to use legal language and metaphor in connection with the theological ideas which emerged from the twelfth-century controversy over the Devil's rights. It anticipates by many decades developments in the popular Latin and vernacular tradition of the 'trials of Satan.'"⁵⁵

The *Conflictus* draws upon both Roman and canon law in a much more technical way. It uses far more specific citations than the *Advocacie*, which merely alludes to legal principles and precepts, while describing the same kind of heavenly trial. At issue in both works is the allegation that by his death Christ unjustly removed humanity from the power of the Devil. Heavily concerned with the matter of justice, the *Conflictus* presents two opposing views: Satan argues that even after Christ's death freed humanity from the power of Satan, God was still obliged to treat the Devil justly. Christ challenges that view, holding that God was not obliged "to give the Devil his due" because "the Devil was guilty of the crimes of deception, robbery and treason."⁵⁶ In the *Advocacie*, the Devil takes up the same theological and legal issues, but Mary rather than Christ refutes Satan's claims.

The *Conflictus* author's use of Latin would preclude any understanding of the text by a general lay audience, who would not have been able to respond

"The Four Daughters," 44–99. For a discussion of the *procès de Paradis* as an illustration of the theology of salvation, see Jean-Pierre Bordier, *Le Jeu de la Passion: Le message chrétien et le théâtre français (XIII^e–XVI^e s.)* (Paris: Champion, 1998), 161–256, and Charles Mazour, "Dieu, Justice et Miséricorde dans *Le Mystère du Viel Testament*," *Le Moyen Âge* 91 (1985): 53–73. Carmen Cardello de Hartmann presents an overview of works on the theme in "Die 'Processus Sathanae' und die Tradition der Satansprozesse," *Mittelalterliches Jahrbuch* 40 (2005): 417–30.

⁵⁴ Spurgeon Baldwin and James W. Marchand make clear and accurate distinctions between what they call the "Trial of Satan" and the *procès de paradis*: "The Virgin Mary before the Heavenly Court," *Medievalia et Humanistica* n.s. 18 (1992): 79–84, here 79–81.

⁵⁵ C.W. Marx, "An Edition and Study of the *Conflictus inter Deum et Diabolum*," *Medium Aevum* 59 (1990): 16–40, here 16–17, emphasis added.

⁵⁶ Marx, "Edition," 21.

to figures of Christ and the Devil arguing their theological issues by means of highly technical citations of civil and canon law. This work could have been one of the *brocarda* used in the university to teach law and theology. The *Advocacie*, on the other hand, has both scholarly and popular appeal. Its author employs the vernacular, citing Scripture and alluding to popular Marian prayers and legends. He skillfully manipulates contemporary stereotypes in his portrayals of Satan and Mary to render theology vividly and dramatically to an ordinary audience of lay folk. He also satisfies a court of learned colleagues by offering them a rhymed and metered disputation that illustrates the difference between chicanery (Satan) and procedural integrity (Mary) and illuminates the difference between harsh justice and mercy for the “poor banished children of Eve” who constitute the human race.⁵⁷

Another Latin source, the most plausible one for the *Advocacie* and featuring Mary as well as the Trinity, is a thirteenth-century work, the *Advocacia beate Marie [sic] Virginis contra demonem pro genere humano necnon processus domini Guidonis de Colomedio quondam episcopi Cameracensis tempore Bonifacii octavi* (“The Advocacy of the Blessed Virgin Mary against the Devil on Behalf of the Human Race, or the Trial [written by] Dom Guido de Colomedio, formerly Bishop of Cambrai in the Time of Boniface VIII”). This text is one of several Latin versions of what may be called the proto-*Advocacie* that circulated during the thirteenth and fourteenth centuries.⁵⁸ The author, a canon, jurist, apostolic notary and treasurer of the church of Noyon, ended his clerical career (d.1309) as bishop of Cambrai under his French name of Gui de Colle di Mezzo. In 1269, he was a canon of the cathedral of Bayeux; his name appears as Guido da Collemezzo, one of twenty-six Italian canons living in Bayeux during that century.⁵⁹

⁵⁷ Louis de Carbonnières mentions the *Advocacie* briefly in the context of fourteenth-century procedure: *La Procédure devant la chambre criminelle du parlement de Paris au XIV^e siècle* (Paris: Champion, 2004), v.

⁵⁸ Carmen Cardelle de Hartmann, *Lateinische Dialoge 1200–1400: Literaturhistorische Studie und Repertorium* (Leiden and Boston: Brill, 2007), 308–13. “The time of Boniface VIII” refers to the reign of Boniface as pope from 1294 to 1303. Although the manuscript Cardelle de Hartmann cites dates from the fifteenth century, many other versions of the *Advocacia* existed earlier. An edition of a fourteenth-century text of this work, its often garbled Latin indicating several removes from the author’s original, appears in Ina Friedländer, “Processus Satanae contra genus humanum: En förbisedd litterär text i en formulärbok från Vadstena Koster,” in *Archivistica et Mediaevistica Ernesto Nygren oblata* (Stockholm: Norstedt & Söners, 1956), 123–57, here 142–47. Barthélemy Hauréau reproduced, with some corrections, most of a fourteenth-century version: Paris, Bibliothèque Nationale. MS. Lat. 18216, fol. 94–99, in his *Notes et extraits de quelques manuscrits latins de la Bibliothèque Nationale*, vol. 6 (Paris: Klincksieck, 1893), 92–105.

⁵⁹ See Félix Lajard, “Gui de Colle di Mezzo,” *Histoire Littéraire de la France* (Paris: H. Welter, 1898) 25:280–83; and Pascal Montaubin, “Les Chapitres cathédraux séculiers et la centralisation pontificale au XIII^e siècle,” in Sylvette Lemagnen and Philippe

The brief text of the *Advocacia* does not refer to sources in canon and civil law, nor cite Church fathers and theologians. The arguments of Mary and Satan rest on reliable religious foundations, but the legal framework and references, as well as allusions to church authorities, are lacking. Most of the principal themes and arguments of the much longer rhymed French version, however, can be found in this work. In the very first pages there are more than a dozen points of convergence with the Old French text; the narrative lines throughout the French follow the Latin faithfully; and even the insults Mary hurls at Satan are translated colorfully and accurately.

There can be no doubt that the author of the *Advocacie* had access to the Latin prose work, and we believe that Bartolo probably used it as well.⁶⁰ The idea of Mary rather than Christ arguing in favor of humanity may have come from a work entitled *Reflections on the Annunciation of Mary (Mariale sive CCXXX quaestiones super Evangelium ‘Missus est’)*. Long ascribed to Albert the Great (Albertus Magnus, c. 1200–1280)⁶¹ and then to Richard of St. Laurent,⁶² the *Mariale* is most likely the work of an anonymous thirteenth-century cleric, perhaps a Benedictine or Cistercian.⁶³ In the *Mariale sive CCXXX quaestiones super Evangelium*, Quaestio CI, the author affirms that Mary “knew civil law and canon law and decretals to the highest degree. The wisdom of the [A]dvocate is manifest in three ways: First, that she wins every case before a just and wise judge; second, against an astute and sagacious adversary; and third, in regard to a hopeless case. But the most Blessed Virgin, before the most wise judge, the Lord, against the

Manneville, eds., *Chapitres et cathédrales en Normandie* (Caen: Musée de Normandie, 1997), 253–72, here 271.

⁶⁰ Barthélemy Hauréau reached the same conclusion in the nineteenth century: *Notices* 6:106–7.

⁶¹ Irvin M. Resnick and Kenneth F. Kitchell, Jr., *Albert the Great: A Selectively Annotated Bibliography (1900–2000)*, MRTS 269 (Tempe, AZ: ACMRS, 2004), 74.

⁶² According to Luigi Gambero, the one who identified Richard as the author was [Jean] Bogard, who edited and published it in Douay in 1625 under the title *Domini Richardi a Sancto Laurentio, qui ante quadrigentos annos floruit, De Laudibus B.M.V. libri XII, mira pietate ac eruditione referti (Mary in the Middle Ages)*, trans. Thomas Buffer [San Francisco: Ignatius Press, 2005], 222. The *Mariale* appears under Richard’s name in the *Histoire Littéraire de France* (Paris: H. Welter, 1895), 19:23–27, here 24.

⁶³ Graef, *Mary*, 270–73, citing the definitive work of two scholars: Albert Fries, *Die unter dem Namen des Albertus Magnus überlieferten mariologischen Schriften: literarkritische Untersuchung*, Beiträge zur Geschichte der Philosophie und Theologie des Mittelalters 37 (Münster: Aschendorff, 1954) and P. Bruno Korošak, *Mariologia: S. Alberti Magni eiusque coequalium* (Rome: Academia Mariana, 1954). She notes that “[t]he *Mariale* differs from the work of Richard of St. Laurent in that it uses the strict scholastic method of questions, objections and solutions” (271).

most clever adversary, the Devil, obtained a favorable verdict in our desperate case. Therefore she was the wisest advocate."⁶⁴

Legal Procedure

In the *Advocacie*, the celestial court operates under the double procedural regulations of civil and canon law. Within its meticulously structured legal framework we find a pretrial conference, a joinder of issue (plaintiff's presentation of his case), motions to dismiss, continuances, requests for judicial remedies of various kinds, legal and emotional arguments and summations, interlocutory appeals, and a final and binding sentence or verdict. Both Mary and her diabolical opponent are expert in Romano-canonical procedure, as any good fourteenth-century lawyers would be. In addition, Mary cites papal decretals to make her case.⁶⁵

During the pretrial procedure of the *Advocacie*, Satan commences the lawsuit by an oral complaint addressed to Jesus that the human race be damned. His first cause of action is a criminal one, brought under canonical procedure to redress a violation of the law. Jesus rejects Satan's proffer of evidence in this action but will entertain a civil suit; over Satan's objections he sets the trial date for Good Friday.⁶⁶ On that day, when Jesus calls the human race to respond to the Devil's summons, no one answers; Satan declines to seek an immediate judgment, however, preferring to wait and hope that humanity will be judged in default. Jesus

⁶⁴ "Quæstio CI. Utrum sciverit [Beatissima Maria] in summo jura civilia, leges et decreta? ITEM, quod jura civilia leges et decreta scivit in summo, patet hoc modo: 1. Sapientia advocati manifestatur in tribus. Unum, quod obtineat omnia contra judicem justum et sapientem. Secundo, quod contra adversarium astutum et sagacem. Tertio, quod in causa desperata. Sed beatissima Virgo contra judicem sapientissimum Dominum, contra adversarium callidissimum diabolum, in causa nostra desperata sententiam optatam obtinuit: ergo sapientissima advoca fuit": Albert the Great, *Opera Omnia*, ed. August and Emil Borgnet, vol. 37 (Paris: Ludovicus Vivès, 1898), 160.

⁶⁵ On the convergence of Roman and canon law in the Middle Ages, see G.R. Evans, *Law and Theology in the Middle Ages* (New York: Routledge, 2002); R.H. Helmholz, *The Spirit of Classical Canon Law* (Athens, GA: University of Georgia Press, 1996); D.H. Van Zyl, *Justice and Equity in Greek and Roman Legal Thought* (Pretoria: Academica, 1991), and others. A particularly cogent account of procedural law from the twelfth century on can be found in C.H. von Rhee, "Civil Procedure: A European *Ius Commune*?", *European Review of Private Law* 8 (2000): 589–611.

⁶⁶ Satan objects in vain that Good Friday is a holiday and verdicts then are worthless; Jesus replies that the court and the laws are his and he can name the court date. Under canon law, "[S]ummary procedure . . . allowed judges to hear cases and take testimony during some periods when the conduct of formal judicial business was normally forbidden": James A. Brundage, *Medieval Canon Law* (London and New York: Longman, 1995), 140.

declines to apply strict justice and prefers to act in equity.⁶⁷ He delays the hearing, and has Satan thrown out of Paradise for the night.

At the behest of a heavenly council, the Virgin Mary accepts the role of advocate for the defense of the human race. Her first action is to demand Satan's credentials; when Satan objects to her presence as a woman and — what is worse — the judge's mother, she replies that women may lawfully defend minors, the poor, and widows.⁶⁸ Although an outraged Satan demands an order *in limine* (a preliminary order) prohibiting her from participating as an advocate in the proceedings, Jesus refuses. Satan next seeks summary relief through a possessory action, a Roman-law procedure like that of the customary-law action of *novel disseisin*: that is, he as plaintiff must be "put back into peaceful possession" of the souls he previously possessed. Title (legal ownership) is not at issue in an action for *novel disseisin*, only the most recent *seisin* (possession).⁶⁹ However, Mary transforms the case into a trial of title by responding that only the *unlawfully* dispossessed must be placed back in possession of what they had. Satan never had good title to those souls, he was a mere detentor or holder and was only imprisoning them, which is different from owning them and constitutes possession in bad faith under both canon and Roman law.⁷⁰ When Satan then requests an interlocutory judgment (a partial summary judgment) that he is the owner of human souls by adverse possession (also called prescription), Jesus decides that he is not entitled to possession. In legal terms, by arguing that he is the owner, that

⁶⁷ James A. Brundage, *Medieval Canon Law* (London and New York: Longman, 1999), 156: "Fourteenth century writers further elaborated the distinctions between justice, equity and law . . . These writers regarded equity as a principle of mitigation, which adjusted the rigors of strict law to the varied needs of individual situations." For a detailed discussion of the concepts and their application in this work, see Judith M. Davis, "Giving the Devil His Due: Justice and Equity in *L'Advocacie Nostre Dame*," in *Courtly Arts and the Art of Courtliness: Proceedings of the 11th Triennial Congress of the International Courtly Literature Society*, ed. Keith Busby and Christopher Kleinheinz (Woodbridge: Boydell & Brewer, 2006), 373–84.

⁶⁸ Mary's statement that a woman may be of assistance before ecclesiastical judges is correct, although the admission of women to court was problematic in canon law. Women could be admitted to act as advocates and proxies in canonical procedures, but there was not always agreement on the practice even in the mid-twentieth century. See John J. Krol, *The Defendant in Contentious Trials* (Washington, DC: Catholic University of America Press, 1942), 79. See also the note to ll. 890–900.

⁶⁹ The idea that *seisin* relates only to land is a later development in Anglo-Norman law. In this poem and in the law of the era and area in which it was written, *seisin* (actual possession and the rights related to actual possession) could be an attribute of both real and personal property. See Frederick Pollock and Frederic Maitland, *The History of English Law*, 2nd ed. (Cambridge: Cambridge University Press, 1968), 2:32.

⁷⁰ See Barry Nicholas, *An Introduction to Roman Law* (Oxford: Clarendon Press, 1962), 112.

he has *title* by adverse possession, Satan has lost the advantages of an action for *novel disseisin*.⁷¹ He has fallen into Mary's trap.

Having failed at human law, a frustrated Satan resorts to divine law, citing the Genesis tale of the Fall, but Mary counters that since he was the cause of that Fall he should not be allowed to plead because he would benefit from his fraud. The Devil then asks God to punish the crime on His own initiative. Mary points out that when a plaintiff has several ways of proceeding, he has to choose one and stick to it: the Devil has made an election of remedies, and his request must be denied. Satan did not appeal Christ's rejection of his petition for *novel disseisin*; therefore, the matter is *res judicata* (definitively decided) and cannot be revisited. Further efforts by Satan are met by Mary's impassioned pleas; she declares that Christ's sacrifice on Good Friday outweighed the world's sin — furthermore, when humans repent, God extends mercy. Jesus delivers the final verdict in favor of the human race. God the Father and the Holy Spirit agree.

The *Chapelerie*: Genre, Audience, Sources, Theological and Religious Contexts, Historical Context, Legal Procedure

Genre

Although its appeal is not limited to the elite, the *Advocacie* represents a more learned religion with its many references to the Bible, theological commentaries, and books of law. As a *miracle à clef*, the *Chapelerie* reflects some elements of popular religion with its predilection for miracles and its belief in Mary's intervention in human affairs (although, in the words of Eamon Duffy, both elite and popular works dealt with "distinct but interpenetrating devotional worlds.")⁷² Miracles are stories of supernatural intervention by God or one of the saints in the natural world, presented as true accounts, often by an eyewitness or someone who claims to know an eyewitness, for the instruction and edification of an audience of believers.⁷³ Simon Yarrow speaks of miracle stories as expressing the

⁷¹ According to Pollock and Maitland, "[Under] the influence of Roman law, or through the medium of canon law . . . the position of a defendant in an action as a general rule would have been preferable to that of a plaintiff. . . . Therefore, when there is to be litigation every one would wish to be a defendant" (*History*, 2:47). Satan's positioning himself as a perennial plaintiff thus puts him at a disadvantage.

⁷² Eamon Duffy, "Elite and Popular Religion: The Book of Hours and Lay Piety in the Later Middle Ages," in *Elite and Popular Religion*, ed. Kate Cooper and Jeremy Gregory, Studies in Church History 42 (Woodbridge: Boydell and Brewer, 2006), 140–61, here 149.

⁷³ For the relationship between *dit* and miracle, see Léonard, *Dit*, 325–28. Miracles are defined and discussed at length in Benedicta Ward, *Miracles and the Medieval Mind*

"rhetoric of redemption" and observes that "[u]ltimately they emphasized not the difference between elite and popular religion but between belief and unbelief." He speaks of "a moral economy of redemption in which good Christians have their devotion rewarded and bad ones get what is coming to them."⁷⁴ In this respect, the *Chapelerie* resembles some of the more florid tales that recount Mary's punishment of those who disobey or disrespect her,⁷⁵ in which she dispenses a feudal kind of justice by eliminating the enemies of her vassals. Gérard Gros has observed that "[T]he Virgin, invisible but vigilant, intervenes in favor of the clergy whose benefice she defends, by twice producing — invariably, almost mechanically — an inverse miracle: the king's representatives, relentless in their efforts to dispossess Our Lady, suffer a sudden and violent or a slow and agonizing death, both committing spiritual suicide, so to speak."⁷⁶ Like other stories of Marian retribution the *Chapelerie* is a cautionary tale, warning secular authorities not to challenge the immense power behind the claims of religious authority.

Audience

The audience of the *Chapelerie* was necessarily much smaller than that of its more dramatic companion piece. This *miracle à clef* would have entertained both clerics and nobles sympathetic to the hierarchy living in the Bayeux region who could appreciate the fatal sentences pronounced by heaven on the bishops' opponents. It would have appealed also to those who were familiar with the personae of the lawsuits or who wished to learn court gossip presented in an amusing and edifying fashion. Bishop Guillaume de Trie himself would have been flattered, and members of his retinue impressed, with the account of that prelate's saintly and efficacious defense of the church's revenues.⁷⁷ (Indeed, it is possible that the bishop commissioned this work, which may help to explain its brevity as well as its relatively harsh didacticism.)

(Philadelphia: University of Pennsylvania Press, 1987). See also Joseph Morawski, "Mélanges de littérature pieuse," *Romania* 61 (1935): 157–62.

⁷⁴ S. Yarrow, "Narrative Audience and the Negotiation of Community in Twelfth-Century English Miracle Collections," in *Elite and Popular Religion*, ed. Cooper and Gregory, 65–77, here 71.

⁷⁵ Bétérus, *Collections*, mentions Mary's retributive role in miracle stories (165–82).

⁷⁶ Gros, "L'Avocate," 128–29: "[L]a Vierge invisible mais vigilante intervient en faveur du clergé dont elle défend les biens, en suscitant par deux fois, invariablement, mécaniquement presque, un miracle inverse: les représentants royaux, acharnés à déposer Notre Dame, subissent une mort soudaine et violente pour l'un, lente et mauvaise pour l'autre, et pour ainsi dire se tuent spirituellement tous deux."

⁷⁷ Louis Cons surmised that the *Chapelerie* appealed mainly to regional Norman interests, which explains why it appears only in the Evreux manuscript, formerly kept in the library of the abbey of Lyre (*L'Auteur*, 155).

Ci Commence L'Advocacie Nostre Dame Sainte
Marie et Vez Ci les Resons pour Quoy Elle est Apelee
Advocate de L'Umain Lignage

Se touz ceulz qui onques nez furent,
et touz ceulz qui au jourd'uy durent,
et trestouz ceulz qui sont a nestre,
estoint vis, et chescun mestre
pour respondre et pour opposer, 5
si ne pourroient il gloser,
ne dire, en cent mil ans d'espace,
les biens, le pouer et la grace
de la douce Vierge Marie.
Que à lie de cuer se marie 10
ne peut avoir nulle deffaute;
combien qu'el soit grant dame et haute,
a touz ses amis confort preste
et à tous lour besoins est preste,
ne neul n'en veult lessier ne perdre. 15
Bon se fet à tel Dame aerdre
et eschiver fol rigolage,
quer s'amour n'est mie volage.
Nul ne la peut amenusier;
l'en pourroit plus tost espuisier 20
toute la mer, goute aprez goute,
que sa bonté deviser toute.
Se chescun grenet de gravele
devenoit langue aspre et ysnele
pour opposer et pour [r]espondre, 25
si ne pourroient eulz espondre
le grant bien et la grant value
de la Vierge, que je salue
en disant Ave Maria.
Onques clerc tant n'estudia 30
qu'il en peüst venir au fons.
Jà ne sera, ce croy, sauf hons
qui tout son bien pense à comprendre,
et pour ce vuil à el entendre,
que l'en me tendroit à folie 35
de metre y ma mélencolie.

La bonne gent, qui sont passez,
si se sont efforciez assez

Here Begins the Advocacy of Our Lady Saint Mary,
and You See Here the Reasons Why She is Called the
Advocate of the Human Race

If all those who were ever born,
and all those who are alive today
and all those yet to be born
were now alive, and each one a master trained
to answer and present arguments 5
yet they could not explain,
nor recount, in a hundred thousand years,
the gifts, the power, and the grace
of the sweet Virgin Mary.
Whoever is married to her in his heart 10
can have no defect;
although she is a high and great Lady
she gives comfort to all her friends,
and is ready for all their needs,
and she will not abandon or lose any one of them. 15
It is a good thing to cleave to such a Lady
and avoid foolish levity;
for her love is not fickle.
No one can diminish her;
you would more quickly dry up 20
the whole ocean, drop after drop,
than describe all her goodness.
If every little grain of shingle
became an ardent and lively tongue,
to present arguments and answer, 25
they could not explain
the great goodness and the great worth
of the Virgin, whom I salute
by saying AVE MARIA.
No clerk has ever studied enough 30
to plumb the depths of it;
never, I think, will any man be successful
who is trying to comprehend her goodness,
and for this reason I want to do something else
for people would think I was mad 35
to use up my imagination on that.

The good folk who have passed on
have tried very hard

de sa bonté retrère et dire;
 mès sens humein n'i peut souffire, 40
 se Dieu n'i vouloit conseilier,
 ne nul ne s'en doit merveillier;
 quer dedens son ventre porta
 le fils Dieu, qui enfer mort a;
 en son cors vout celui descendre, 45
 que terre et ciel ne peut comprendre.
 Le trésor de toute sagesce
 garda; ne fut ce grant noblesce?
 Oil; s'el n'i avoit partie,
 la chose seroit mal partie. 50
 Elle est dame, si com je crey,
 haut ès cyex, du conseil secrey.
 Dieu l'ennoure et il l'escovient;
 en Exode, bien m'en souvient,
 dict et ensiegna la tenour 55
 de porter à sa mère hennour,
 et si l'ayme et hennoure ensemble.
 Donc m'est il avis, ce me semble,
 qui bien à rèsou y regarde,
 que ceulz qu'elle ayme n'aront garde, 60
 quer poy d'ennour li porteroit
 qui ses amis condempneroit.
 Nous qui l'amins, fames et hommes,
 ses procheins et ses amis sommes,
 donc devon nous estre asséür, 65
 quant nostre amie a tel éür,
 et Dieu méismes s'i oblige.
 Soit donc chascun son homme lige,
 et touz nos cuers li pramèton
 et en sa garde nous mèton, 70
 quer à dampnement n'iert jà mis
 nul de ceulz qui sont ses amis.
 Elle est mestresse de la Court;
 se son filz se cource, elle acourt
 et luy demonstre sa mamèle 75
 dont l'aleita, virge et pucèle,
 et il n'iert jà si soupris d'ire,
 quant el li veut retrère et dire
 qu'el le nourri et le bercha
 et [que] le cuer li trespercha 80
 quant el le vit en croiz pendu,

to recount and tell of her goodness;
 but human wisdom is not sufficient for it 40
 unless God deigned to lend his aid,
 and this should amaze no one;
 for in her womb she carried
 the son of God, who has conquered Hell;
 he was pleased to come down into her body 45
 whom heaven and earth cannot contain.
 She kept the treasure of all wisdom;
 was this not great nobility?
 Yes; for if she had not been part of it
 the undertaking would have begun badly. 50
 She is, I believe, a lady highly
 placed in heaven, a close counselor.
 God honors her and accommodates her;
 in Exodus, I remember well,
 He ordered and taught the obligation 55
 to honor one's mother
 and thus He both loves and honors her.
 This is why it seems to me
 if you consult right reason,
 that those whom she loves need have no care; 60
 for she would give little honor
 to anyone who condemned her friends.
 We who love her, men and women,
 are her friends and her relatives,
 so that we should feel safe, 65
 since our friend has such good fortune
 and even God defers to her.
 Let every one therefore be her liege man
 and let us all promise her our hearts
 and place ourselves under her protection 70
 for no one will be sent to damnation
 who is one of her kinfolk.
 She is mistress of the Court;
 if her son is angry, she runs up
 and shows him her breast, 75
 at which she, maid and virgin, nursed him
 and he will never be so overcome by anger—
 when she wants to tell him and explain
 how she nursed and rocked him
 and how her heart was pierced 80
 when she saw him hanging on the cross—

que son dit ne soit entendu;
 quer, quant son douz filz la regarde,
 son yre et son courout se tarde,
 quer il y vient en remembrance
 qu'el le nourri en son effance
 si qu'el ne li sceit chose dire
 de quoy il la sache escondire.

Le Déable nous het à mort
 et à nous acuser s'amort;
 mès, s'il acuse, el vient plèdier,
 preste pour ses amis édier.
 El sceit opposer et respondre
 pour nostre adversaire confondre;
 quer, quant il nous veult accuser,
 el n'a pas apris à muser,
 mès est preste et appareillie
 et curieuse et esveillie
 de pleidier pour l'Umaing Lignage;
 elle est advocat bon et sage
 et souvent par plèt nous delivre.
 Je treuvē escript en .I. libre
 pour quoy et par quel aventure
 l'en l'apele en Sainte Escripiture
 Advocat, et dont celà vint.
 Je scey bien comment ceu avint;
 quer en l'Escripture l'en treuve,
 qui me souffit pour toute preuve,
 saint Pol le dit et détermine,
 qu'elle est fête à nostre doctrine.

L'Evangile s. Jehan conte,
 dont chescun doit tenir grant conte,
 tout droit u trèsième chapitre,
 comme u cors Judas le traître
 le Déable d'enfer se mist,
 Sathenas, qui tant s'entremist
 que tout bien luy fist enhaïr
 et son propre mestre trahir,
 qui de soy tel tesmoing prestoit
 que prophète et fils Dieu estoit.
 En soit bien comme en paradis
 Eve, nostre mère, jadis
 fut condempnée par sentence
 par pechié d'inobédience

85

90

95

100

105

110

115

120

that what she says will not be heard;
 for when her sweet son looks at her
 his anger and his rage subside;
 for then he remembers
 that she nursed him in his childhood
 so that nothing she may say to him
 can he gainsay.

The devil has deadly hatred for us,
 and is killing himself to accuse us;
 but if he accuses, she comes to plead our case,
 ready to help her friends.
 She knows how to present arguments and respond
 to confound our adversary;
 for, when he comes to accuse us,
 she is not accustomed to waste time,
 but is ready and prepared,
 and vigilant and careful
 to plead for the Human Race;
 she is an advocate good and wise
 and often delivers us by her pleading.
 I find written in a book
 why and for what reason
 she is called in Holy Scripture
 an advocate, and where that came from.
 I know well how that happened;
 for it is found in Scripture,
 which is sufficient proof for me:
 Saint Paul says and determines
 that it was made for our instruction.

The Gospel of Saint John tells
 (which everyone should heed well)
 right there in the thirteenth chapter
 how Satan, the Devil from Hell, entered
 the body of the traitor Judas
 and so worked on him
 that he grew to hate all good works,
 and he betrayed his own master,
 who testified of Himself
 that He was a prophet, and the Son of God.
 It is well known how in Paradise
 Eve, our mother, long ago
 was condemned in a sentence
 for the sin of disobedience

85

90

95

100

105

110

115

120

et pour ceu furent condempnez 125
 tous ceulz qui furent d'Adam nez.
 Par cette condempnation
 en avoit la possession
 le Déable, qui les prenoit
 quant chescun à sa fin venoit. 130
 Mès Dieu, qui est le Roy des Roys,
 si vout abatre cest desroys,
 quer pitié de ses créatures
 out, ce dient les Escriptures;
 mès la chose fist si à point 135
 que de reprise n'i a point.
 Quer, se fame à premier pécha,
 fame aprèz ceu nous redrécha:
 Eve mist la main à la pomme,
 dont el déchut le premier homme; 140
 mès, s'Eve follement ouvra,
 sainte Marie recouvra
 et amenda celle defaute;
 quer le filz Dieu de sa tour haute
 u cors Marie descendi, 145
 qui vie pour mort nous rendi.
 Mès le Sathan rien ne savoit
 se Dieu vray cors humain avoit;
 quer, s'il l'ëust de voir scëü,
 jà tant comme il ëust peü 150
 n'ëust esté crucifié;
 mès n'en iert certefié.
 Si estoit touzjors en doutance
 et de luy et de sa puissance,
 quer il entendoit bien de soy 155
 qu'il soustenoit et fain et soy
 et qu'il estoit homme pèsible,
 et ce luy sembloit impossible
 que Dieu nule defaute eüst
 ne que méseise avoir déüst. 160
 Autre chose le déchevoit:
 les miracles aperchevoit
 dont mout feisoit tout en apert,
 si com par l'Evangile apert.
 Il ne pout le Ladre tenir 165
 que hors nu convenist venir
 d'enfer, quant Jhesus l'apela,

and for this reason were condemned 125
 all who were born of Adam.
 By this condemnation,
 the Devil had possession of them
 and took them
 when each came to his end. 130
 But God, who is the King of Kings,
 wanted to put right this wrong
 for he had pity on his creatures,
 according to the Scriptures;
 and he accomplished this so well 135
 that there is no question of losing them again.
 For, if a woman first sinned,
 a woman restored us afterwards.
 Eve took the apple in her hand
 and caused the fall of the first man. 140
 But if Eve acted foolishly,
 Holy Mary made up for it
 and amended this defect;
 for the Son of God from his high tower
 came into the body of Mary, 145
 He who gave us back life for death.
 But Satan did not know
 that God had the true body of a man;
 for if he had truly known that,
 never, as long as he could have prevented it, 150
 would He have been crucified;
 but Satan had no certain knowledge of it.
 He was always in some doubt
 concerning Him and His power
 for he had personal knowledge 155
 that He suffered both hunger and thirst,
 and that He was a peaceful man,
 and it seemed to him impossible
 that God should have any imperfection
 or that he should experience any discomfort. 160
 Another thing deceived him:
 he saw the miracles
 of which He did many openly,
 as it appears in the Gospel.
 Satan could not prevent Lazarus 165
 from having to leave Hell
 when Jesus called him out,

et mout se doutoit pour cela,
 et pour ce estoit il plein d'ire
 qu'il ne pouvoit savoir ne dire 170
 s'il iert Dieu en humanité
 ou pur homme sans déité.
 Et pour ceu qu'en ceu avoit doute
 le mestre d'enfer et sa route,
 .I. grant concile en assembla, 175
 et au derrenier lour sembla
 qu'il estoit filz Dieu vraiment;
 mès trop lour aloit malement,
 quer jà estoit à mort livré,
 et par luy seroit délivré, 180
 ce lour sembloit, l'Umain Lignage,
 et eulz estoient assez sage,
 pour entendre les Prophécies
 qui devoient estre acomplies.
 Les prophètes distrent, de voir, 185
 qui voudroit fère son devoir,
 qu'il convendroit à mort livrer
 .I. homme pour touz délivrer
 et qu'en enfer se descendroit,
 et touz les cheitis y prendroit; 190
 rien n'i vaudroit veroil ne porte
 qu'ovecques li ne les emporte.
 Einsi les déables disoient
 qui de nostre bien se douloient;
 quer c'est à chétif grant soulas 195
 quant il ne se voit pas soul las,
 mès en compaignie en sa peine;
 einsi iert, c'est chose certeine.
 Le conseil d'enfer s'accorda 200
 pour ce qu'Eve Adam encorda,
 et que fame est maliciouse
 et de sa nature engignouse,
 qu'eulz iroient, par lour barate,
 parler à la fame Pilate.
 Mout très forment la menachièrent, 205
 et en dormant li enchargièrent
 qu'envers son mari tant fëist
 que Jhesum à mort ne méist;
 s. [M]ahieu dist en s'Escripture
 qu'elle y mist grant peine et grant cure; 210

and he was very suspicious because of that,
 and he was very angry because
 he could not know or say 170
 if He was God made man
 or a pure man without Godhead.
 And because of his doubt in this matter,
 the master of Hell and his train
 called together a great council 175
 and in the end it seemed to them
 that he was truly the Son of God;
 but things were going badly for them
 for He had already been delivered up to death
 and it seemed to them 180
 the Human Race would be saved by Him
 and they were clever enough
 to understand the prophecies
 which had to be accomplished.
 In truth, the prophets said, 185
 if one studied them properly,
 that one man would have to be given up to death
 in order to deliver them all
 and that He would descend into Hell
 and would deliver all the prisoners; 190
 no bolt or door would avail
 to keep Him from taking them away with Him.
 Thus spoke the devils
 who were saddened by our good fortune;
 for it is a great consolation to a captive 195
 when he sees he is not unfortunate alone,
 but has company in his grief;
 so it was, and that's certain.
 The council of Hell agreed
 that because Eve had deceived Adam 200
 and because women are malicious
 and deceptive by nature,
 that they would go, in their deception,
 to speak with the wife of Pilate.
 They threatened her very greatly 205
 and while she was sleeping, instructed her
 to persuade her husband
 not to put Jesus to death.
 Saint Matthew says in Scripture
 that she put great labor and effort into this; 210

mès trop tart fut; jà iert rendu
 aus Juyes pour estre pendu.
 Si dist le mauvès deputerè:
 "Ceü qui est fèt n'est pas à fèrè!"

Dieu l'avoit einsi ordené, 215
 anciéz qu'il fust de mère né.

Il fut mort et enseveli
 et se resuscita de li
 et les portes d'enfer brisa,
 dont touz ses amis hors mis a, 220
 et adonc fut l'Umain Lignage
 absouz du premerein servage;
 nous fumes touz à icelle heure
 delivrez, s'en nous ne demoure.

Le Déable, nostre aienemi, 225
 quant il vit ceü, de deul frémi,
 quer il n'ama onques on bien.

Après cela, ne scey combien,
 quant il vit qu'il out tout perdu,
 de sa perte tout esperdu, 230

plein de grant rage et de grant guile,
 il rassembla .I. grant concile,
 si très grant et si renommé

que tout ensemble, à jour nommé,
 touz les déables d'enfer vindrent 235
 et tous à .I. conseil se tindrent
 ceulz qui à cel concile furent.

Quer .I. procuratour eslurent
 pour l'Umain Lignage semondre
 pour demander et pour respondre 240
 par devant Dieu, en sa présence,

et pour oyr droit par sentence.
 Tele iert sa procuracion,
 mès c'estoit lour entencion

de ramener l'Umain Lignage
 du tout au premerein servage. 245

Mès, se je di que le Déable,
 tout soit il fel et non voiable,
 auchune foiz devant Dieu viengne,
 nulluy pour merveille nu tiegne; 250
 quer, qui veult parler de tel chose,
 y convient que son fèt propose
 du tout à l'umaine manière;

but it was too late: He was already delivered
 to the Jews to be crucified.

And the evil low-born one said:
 "That which is done is not to do again."

Thus had God ordained it 215
 before He was born of His mother.

He was put to death and buried
 and arose from the grave
 and broke the gates of Hell,
 delivering all His friends, 220

and then the Human Race
 was absolved of its first servitude;
 we were all freed from it at that time
 and it is no longer part of us.

The Devil, our enemy, 225
 when he saw this, shivered with pain,
 for he never loved the good.

After that, I do not know how long after,
 when he saw that he had lost everything,
 quite devastated by his loss, 230

full of a great rage and a great deviousness,
 he called a plenary council,
 so huge and so proclaimed

that on the appointed day, all together,
 all the devils of Hell assembled 235
 and they all agreed on the same plan
 who participated in that council.

For they chose a plaintiff's attorney
 to summon the Human Race,
 for the lodging of a complaint and an answer 240

before God, in His presence,
 and to hear a sentence read out.

This was their attorney's instruction,
 but it was their intention
 to return the Human Race 245
 completely to its original servitude.

But if I say that the Devil,
 evil as he is and invisible,
 appeared at one time before God,
 no one should take it for a marvel; 250

for whoever wants to talk about this subject
 must set forth his material
 in completely human terms.

si est la chose plus legière
 et plus aésie à entendre. 255
 Qui voudroit en Job garde prendre,
 si comme son livre le touche,
 Dieu parloit à Sathan de bouche.
 Ne cuide nul que dire vuille
 que le Déable ne se duille, 260
 en quelconques lieu qu'il se boute.
 Qui ceu cuideroit n'entent goute;
 quer, en queil lieu qu'il soit présent,
 touzjors angoisse ou peine sent;
 sa peine par est si diverse 265
 qu'en ses os est aussi aerse
 comme au mesel sa maladie.
 Je ne croy pas que nul jà die
 que mesel puisse estre gari 270
 pour cela s'il devient mari
 ou à reigne ou à contesse,
 quer son mal pour ce ne le lesse;
 touzjors est mesel et pourri
 combien qu[e] aiese soit nourri.
 Pour cecy est il bien voiable 275
 que tout ainsi est le Déable;
 quel part qu'aventure le meine,
 il seuffre continuel peine.
 Ainsi la letre le glosa.
 Se .I. asne sus son dos a 280
 .I. fèz de busche ou de charbon,
 ou fust par mal tens ou par bon,
 et fust du fèz bien agregié,
 cuidiez vous qu'il fust alegié 285
 s'il iert devant le roy de France?
 Nenil. Là meins n'auroit grevance.
 Le Déable est de tel manière;
 s'il est devant Dieu ou derrière,
 ou prèz ou loing, ou coste à coste,
 touzjors art il, ou fruit, ou toste, 290
 et seuffre si très grant angoisse
 qu'il n'est nully qui le coignoisse.
 Le devant dit procuratour
 vint devant Dieu, en grant atour,
 fondé, maliciouz et sage, 295
 pour acuser l'Umain Lignage;

Thus the tale is more agreeable
 and easier to understand. 255
 If you want to take Job as an authority,
 as his book tells it,
 God spoke directly to Satan.
 Let no one think I wish to say
 that the Devil is not in pain 260
 wherever he turns up.
 Whoever would believe that, understands nothing;
 for, wherever he is,
 the Devil feels anguish or pain all the time;
 his pain is so pervasive 265
 that in his bones he is as afflicted
 as a leper by his sickness.
 I do not think anyone would say
 that a leper could be healed
 if he became the husband 270
 of a queen or a countess,
 for his sickness does not leave him for this reason;
 he is still leprous and wasting away
 however comfortably he is looked after.
 This, it can be seen, 275
 is the case with the Devil;
 wherever fortune leads him
 he suffers continual pain.
 This is the way the Book explains it.
 If an ass had upon his back 280
 a load of brush or charcoal,
 whether in bad weather or good,
 and was weighed down by the load,
 do you suppose his burden would be lighter
 if he appeared before the king of France? 285
 No. He would have no less a burden there.
 So it is with the Devil:
 whether he is before God or behind Him,
 near or far, or side by side,
 he is always burning or frying or roasting, 290
 and he suffers such great torment
 as no one may know.
 The aforesaid attorney
 appeared before God in his official robes,
 properly appointed, full of malice and well prepared 295
 to accuse the Human Race;

autre chose ne vouloit querre.

"Créateur de ciel et de terre,
dist il, cest condempné escoute;

la félonnie d'enfer toute
m'a de son conseil retenu 300

et pour ce suy je cy venu,

de procuracion garni,

si que n'en puisse estre escharni,

et tu es de justice plein. 305

De l'Umain Lignage me plein,

et je croy, à m'entencion,

que, pour ten information,

m'orras contr'eulz tel chose dire

qui assez te devra souffire." 310

Adonc a Jhesucrist tournée

sa chièrre, et dist: "As tu journée

vers eulz? Les as tu fêt semondre?"

Donc commencha Sathan à grondre

et dist: "Nenil. Mès aviser 315

te vuil; bien saurey deviser,

par certeine information,

qu'eulz sont touz à damnation.

En mon dit n'aura que reprendre,

fors que tu me vailles entendre." 320

Dieu respondi, sans fère y pause:

"Tu scès que de chescune cause,

quant les parties ont bien dites

lour rèsons, sceit l'en les mérites,

et tu n'as cy point de partie. 325

Saches que je ne te croy mie,

quer bien scey c'onques bon ne fus;

ten information refus,

quer recevoir ne la convient;

n'ez tu cely, bien m'en souvient, 330

qui es ytel com tu soulois?

Au monde enforrier me vouloies,

quant tu déïs que je féïsse

des pierres pain: se je vousisse,

je les éüsse assez tost fêtes. 335

Tu m'as trop fêt d'itiex entrêtes.

Tu me déïs à mes oreilles

que tu me donroies merveilles

se je te vouloie aurer.

he sought nothing else.

"Creator of the heavens and the earth,"

he said, "listen to this damned one;

all the felons of Hell 300

have retained me as counsel

and for this reason I have come here

with my attorney's appointment

so that I cannot be laughed out of court;

And You are full of justice. 305

My complaint is against the Human Race

and it is my belief and understanding

that, as an information for You,

You will hear me say such things against them

as should be enough for You." 310

Then Jesus Christ turned His face to him

and said, "Have you a court date

against them? Have you had them summoned?"

Then Satan began to grumble

and he said: "No. But I want to

inform You: I will be able to show

by a sure information

that they are all to be damned.

There will be nothing to complain of in my recital

provided that You will listen to me." 320

God replied, without a pause:

"You know that in any suit

when the parties have properly stated

their pleadings, then only do you know the merits,

and here you have no adverse party. 325

Listen: I do not believe you,

for I am aware that you were never good;

I refuse your information,

for it is not proper to receive it;

are you not, as I remember well,

just as you used to be? 330

You wanted to tempt Me in the world,

when you told Me to make

bread from stones. If I had wanted,

I could easily have done it. 335

You have made too many such demands on me.

You whispered in my ear

that you would give me marvels

if I would adore you.

Fuy toy de cy, sans demourer,
quer nul prodon ne te doit croire;
tu ne scez dire chose voire." 340

Le Déable dist derrechief:
"Tu es de justice le chief,
justice vuil; tu es Justice, 345
fei la moy. N'est-ce ton office?

Tu ne m'ez pas mout débonnère.
Puis qu'autre chose ne puis fère
et l'œuvre est einsi attournée,
donne lour certeine journée 350
à plédier ci tout égaument.

Je suy fondé souffiesamment
pour enfer et pour sa grant route;
et, qui en voudroit fère doute,
véz ci ma procuration 355
sans vice et sans défection."

Dieu la vit, qui bien l'éprouva,
et, quant sans vice la trouva,
au Déable lors respondi:

"Sathenas, pas ne t'escondi,
mès je n'aim pas mout ton séjour;
or convient acorder le jour." 360

Dist Sathan: "Soit donc à demain;
du brief jour grant joie demain."

Dieu dist: "Ce ne feroi je mie;
je feroie tort à partie. 365

Où as tu or ce droit trouvé?
Tu scez bien et l'as éprouvé,
la voie est longue et mal errante.
Je feroi droit, je te créante. 370

Tu sez bien que les droiz recordent,
quant .II. parties se descordent
du jour, que le juge le donne,
sans ceu que nul l'en achesonne.

Je suy juge: pour moy le di,
je mèt jour au saint vendredi
que je fuy en la croiz pendu." 375

Quant Sathanas l'out entendu,
si respondi par très grant ire:
"Ha, sire, ce n'est rien à dire;
le jour que tu as ci nommé 380
est sollempnel et renommé:

Fly from here without delay, 340
for no worthy man should believe you;
you don't know how to tell the truth."

The Devil said again:

"You are the very source of justice,
I want justice; You are Justice, 345
give me justice. Is it not Your duty?

You are not very kind to me.
Since I can't do anything else
and the affair has turned out this way,
assign them a day certain 350
for pleadings on both sides.

I am sufficiently empowered
for Hell and its great company.
And if there should be any doubt,
see here my attorney's appointment 355
beyond reproach, without error."

God saw it, and looked it over thoroughly,
and when He found it without mistakes,
then He replied to the Devil:

"Satan, I am not denying you a hearing. 360
But I do not like to see you here.
Now we must fix a date."

Satan said: "Let it be tomorrow, then.
An early date is the cause of great joy."

God said: "I will not do this; 365
I would be wronging the other party.
Where did you find this law?

You know full well, and have experienced
that the way is long and never straight.
I will give you a hearing, I promise you. 370

You know that the Laws provide
that when two parties are in disagreement
about the court date, the judge names the day,
without any challenge.

I am the judge. On my authority I say 375
I am setting the court date for Good Friday
when I was hung on the cross."

When Satan heard this,
he replied very angrily:
"Ha, Sire, that's nothing to say; 380
the day which You have named here

is solemn and well-known;

y n'est lieu où férié ne soit.
 Les droiz dient, chescun le sceit,
 que sentence à tel jour rendue 385
 doit estre pour nule tenue;
 donc ne vaudroit rien ma semonse,
 ne mon plédier, ne ma response;
 quer le procèz qui en vendroit,
 chescun pour mauvez le tendroit. 390
 Droit le dit, j'en suy bien recors."
 "Le feu d'enfer t'arde le cors,"
 ce dist Jhesucrist luy mèismes:
 tu scez bien que les droiz féismes;
 au droiz donnon auctorité; 395
 mès tu scez bien par vérité
 que les droiz ne nous donnent mie
 auctorité, que que nus die.
 Pour ce voulon, comment qu'il aille,
 que procèz et semonse vaille, 400
 non contrètant que la journée
 est férie et mout hennourée.
 Einsi iert; je ne t'en di el."
 Lors appela saint Gabriel:
 "Va, dist il, sonne ta buysine: 405
 si fey le jour et le termine
 savoir à tout l'Umain Lignage;
 s'eulz n'i sont, eulz auront damage;
 et lour fey bien à touz espondre
 que ceulz d'enfer les font semondre." 410
 Ce fèt, Sathan s'en retourna
 en enfer, où nul bon jour n'a,
 et lour recorda les nouvelles
 qui ne lour furent pas mout beles.
 Touz les déables, qui là furent, 415
 virent mout bien et aperchurent
 que Dieu fère ne lour vouloit
 nulle grace plus qu'il souloit;
 mès à ce sans plus s'aerdirent
 que parler de justice oïrent. 420
 A la journée en grant atour
 transmistrent lour procuratour,
 qui sagement peine méist
 que Dieu justice lour féist.
 Quant le jour vint de quoy je di, 425

there's nowhere that it's not a holiday.
 The Laws say, as everyone knows,
 that a verdict handed down on that day 385
 should be considered null and void,
 so then my summons would be worthless,
 and both the pleadings and the answer;
 for the lawsuit heard on such a day
 would be considered a bad one by all. 390
 The Law says so, I remember it well."
 "May hellfire burn your body,"
 said Jesus Christ himself;
 "you know very well that We made the Laws;
 We give authority to the Laws; 395
 but you know very well, in truth,
 that the Laws do not give Us
 authority, whatever anyone says.
 For this reason, whatever happens, Our will is
 that the suit and the summons be valid 400
 despite the fact that the day indicated
 is a holiday, and much celebrated.
 So let it be, I'm not telling you anything else."
 Then He called Saint Gabriel:
 "Go," He said, "blow your trumpet,
 and inform the whole Human Race 405
 of the court date, and how far off it is.
 If they do not appear, they will suffer loss,
 and explain to all of them
 that the denizens of Hell are having them summoned." 410
 When this was done, Satan went off back
 to Hell, where he spends no good day
 and told them the news
 which was not very welcome. 415
 All the devils who were there
 realized and understood
 that God did not want to show them any more
 favor than He usually did;
 but they seized on one thing
 that they heard tell of justice. 420
 On the day of the trial, in his court robes
 they sent off their attorney,
 with instructions to make a shrewd effort
 to have God do them justice.
 When came the day of which I speak, 425

qui estoit au saint vendredi,
 le procuratour lors racourt
 et vint bien matin à la Court,
 quer bien sout, par texte et par glose,
 que qui est auctour d'une chose, 430
 il doit monstrier sa diligence;
 quer trop pis vaut sa négligence
 que de cil qui se doit deffendre:
 il se garda bien de mesprendre,
 quer à la Court out poy d'amis. 435
 Il vint, au jour qui fut là mis,
 u lieu où Dieu souloit venir
 pour droit et jugement tenir.
 Mès je parle à manière humaine
 et tout mon propos y demaine: 440
 là ou le pape est, là est Romme;
 einsi doit entendre tout homme
 que paradis est prôprement
 là où Dieu tient son jugement:
 Dieu a des mansions plus d'une; 445
 là où il est, la Court s'aïne.
 Là vint Sathan très bien matin,
 qui bien sceit franchois et latin
 et sceit respondre et opposer
 et toute Escripiture gloser, 450
 et fallaces plus de cent a.
 Quant Dieu vint, il se présenta
 et le dist: "Je suy le dampné.
 Contre ceulz qui sont d'Adan né,
 au jour ici en ta présence 455
 plédier vuil et oïr sentence."
 Dieu li dist: "Seuffre toy, maufey!
 Ne soies pas si eschaufey!
 Tu sez bien, selon l'Escripiture,
 tant comme la journée dure 460
 ne doit l'en deffaute douner.
 Tu peus bien assez jargouner!
 Sus eulz veus défaute: or atent!
 Bien scey que ton vouloir là tent."
 Le Déable, quant l'entendi, 465
 desiques à noune attendi.
 En ce tens, qui mout lui tarda,
 la contenance regarda:

which was Good Friday,
 the attorney returned
 and came into court very early in the morning;
 for he knew very well, from the text and the gloss,
 that the plaintiff in a suit 430
 should make a show of his diligence;
 for his lack of zeal does him more harm
 than that of the defendant.
 He took care to make no errors,
 for he had few friends at court. 435
 He appeared, on the appointed day,
 in the place where God used to go
 to hold court and give judgment.
 But I am speaking in human terms
 and direct all my effort toward it; 440
 where the Pope is, is Rome;
 thus everyone should understand
 that Paradise is, properly speaking,
 the place where God holds His court.
 God has many mansions; 445
 the court assembles wherever He is.
 Satan appeared there very early in the morning.
 He can speak French and Latin
 and knows how to give answers and raise defenses
 and gloss the whole of Scripture, 450
 and he has more than a hundred false premises.
 When God came, he presented himself
 and said: "I am the damned;
 today, here before You,
 I want to argue my case and hear the verdict 455
 against those who were born of Adam."
 God said to him: "Wait now, evil one;
 don't get so heated up;
 you know that according to Scripture
 a default should not be declared 460
 as long as the day lasts.
 You can talk all the lawyer talk you wish,
 you want a default judgment against them; now just wait;
 I know that's where you're going."
 When he heard Him, the Devil 465
 waited until none, three in the afternoon.
 All this time, which passed slowly for him,
 he looked at those around him.

si vit les sains de paradis,
 chà .V., chà .VI., chà .XX., chà dis, 470
 alans et venans, ce li semble,
 et estrivans de deul ensemble.
 Lors parla plus hardiement
 et se rescia hautement:
 "Père, qui es souverain juge, 475
 je ne vieng [pas] ici par druge;
 ne die nul que je m'absente:
 contre le monde me présente."
 Dieu li dist: "Tès tey, importun!
 Cuides tu que j'en deport un 480
 vers toy, pour faillir de justice?
 Nenil. Ce n'est pas mon office.
 Ne t'ey je dit, bien m'en souvient,
 qu'atendre tout le jour convient?
 Or atent donc, et ne t'ennuyt, 485
 pour savoir s'eulz vendront ennuyt."
 Il atendi en tel ardure,
 einsi, si qu'à la nuyt obscure;
 lors cria à grant alenée:
 "Halas! Où est justice alée 490
 quant ès cyex à peine la treuve!
 Y semble que c'est bonne preuve
 que justice est partout faillie."
 Einsi se pleint et brèt et crie.
 "Or vien avant, maléüré, 495
 dist Dieu, j'ay assez enduré:
 tens est que tu soiez oÿ."
 Lors fut le Déable esjoÿ
 et moustra tantost sa sermonse.
 Sans fère luy autre response, 500
 Jhésucrist dist à l'audience
 que l'en fèist partout silence
 et apelast l'Umain Lignage.
 Lors n'y out nul saint, tant fust sage,
 à cuy tout le cuer ne frémist. 505
 L'audience tout haut se mist
 et l'Umain Lignage appela,
 et disoit de chà et de là:
 "Se il i a nul qui les secoure,
 si vienge avant: il en est heure." 510
 Il cria diz foiz, voire vint;

He saw the saints of Paradise,
 here five, here six, here nine, here ten, 470
 walking to and fro, it seemed,
 and discussing sorrowfully among themselves.
 'Then he spoke more boldly,
 and cried aloud:
 "Father, who are the sovereign judge, 475
 I did not come here as a joke, without good reason;
 let no one say I withdraw,
 I am here to accuse the World."
 God said to him: "Quiet, you are out of turn;
 do you think that I will send even one human 480
 to you, and thus fail in justice?
 No; such is not my duty:
 did I not tell you, I remember it well,
 that you had to wait the entire day?
 So wait, and be patient, 485
 and see if they will come before nightfall."
 He waited, with the same hot impatience,
 until it was dark night;
 then he cried with all his breath:
 "Alas! Where has justice gone, 490
 so that I can scarcely find it in heaven?
 It seems to prove indeed
 that justice is lacking everywhere."
 'Thus he complains and shouts and yells.
 "Now come forward, ill-fated one," 495
 said God. "I have endured long enough;
 it is time you were heard."
 'Then the Devil was pleased,
 and immediately showed his summons.
 Without giving him any other response, 500
 Jesus Christ said to the marshal
 that everyone should be silent
 and called the Human Race to appear.
 'Then there was no saint, however wise,
 whose heart did not tremble. 505
 'The marshal climbed to the highest point
 and called the Human Race,
 saying on this side and on that:
 "If there is anyone to help them,
 let him come forward; it is time." 510
 He cried ten, even twenty times;

nul n'y envoia, ne ne vint.
 Chescun se tut tout esperdu,
 quer bien cuidèrent que perdu
 fust l'Umain Lignage à ce point: 515
 ès cyex n'out lors de joie point.
 Sathenas, qui avant sailli,
 cuida qu'il n'eüst pas failli,
 mès il parla mout simplement
 et dist malicïusement: 520
 "Ne cuide nully que je vuille
 que l'Umain Lignage se duille
 par moy, ne par ma plèderie.
 Halas! Ce ne demant je mie!
 Je n'ey pas la cole si haute, 525
 combien qu'eulz soient en défaute.
 "Vous," dist il à Dieu, "qui avez
 toute sciënce, bien savez
 comme tel défaute est punie:
 un povre juge escuminie 530
 et ses grans sentences fulmine
 quant l'en ne vient à droit termine.
 Je ne suy mi si cruel,
 quicunques ait entendu el;
 je vuil courtoisement plèdier;
 s'il fust qui lour vousist èdier,
 procéder amiablement
 vuil jeu: d'el ne suy en dement.
 Une letre sans plus demande
 assez petite, non pas grande, 540
 en laquele il ait contenu
 que je suy à mon jour venu
 et me suy à heure dëue
 comparu à vostre vëue."
 Tout ceu disoit il par malice;
 il requéroit droit et justice;
 ce përoit qu'i nu coignëust;
 ne li chaloit fors qu'il pëust,
 comment qu'il dëust avenir,
 l'Umain Lignage retenir 550
 par péchié d'inobédience
 et avoir sur cela sentence;
 quer nos premiers pères en furent
 dampnez, quer par cela déchurent

no one sent a messenger, no one appeared.
 Everyone remained silent, quite at a loss,
 for they thought that the Human Race
 was lost at this point; 515
 there was no joy in Heaven then.
 Satan, who leaped forward,
 believed he had not failed,
 but he spoke very humbly
 and said in bad faith: 520
 "No one should believe that I want
 the Human Race to be cast down
 because of me, or by my pleadings.
 Alas! That is not what I want;
 I am not in such a vengeful mood 525
 however much they may be in default.
 You," he said to God, "who have
 all knowledge, You are aware
 how such a default is punished.
 A petty judge excommunicates 530
 and fulminates his great judgments
 when a party fails to come to court on time.
 I am not so harsh,
 whoever has heard to the contrary;
 I want to prosecute politely; 535
 if there were anyone who wanted to help them,
 I want to proceed with the suit
 equably; I ask for nothing more.
 All I ask is a writ,
 a small one, not a large one, 540
 in which it is stated
 that I appeared in court on time
 and that I appeared before You
 at the proper time."
 He said all this in malice; 545
 he was asking for a hearing and justice.
 It was clear that he would not have admitted
 that he cared for nothing,
 whatever happened,
 except to be able to get back the Human Race 550
 for the sin of disobedience
 and have a judgment on this matter;
 for that is how our first parents
 were damned, how all their descendants

tous ceulz de lour succession;
 mès Jhésus en sa Passiön
 les absoust touz de ce péchié:
 par cela sommes redréchié.
 Mès le Déable s'avisa,
 qui tousjors mauvès avis a
 et touzdis pense à traïson,
 qu'il nous rauroit en sa prison
 s'en cel péchié nous pëu[s]t mètre.
 Pour ce demanda il la lètre
 se tel grace pëust trouver:
 par cela püst il prouver
 que fusson inobédiens,
 pour mètre nous en ses liens.
 Mès Dieu, qui est de tel nature
 qu'i coignoist toute chose obscure
 et qui pour nous y entendoit,
 vit bien à quel fin y tendoit.
 Si li dist en ceste manière:
 "Fuy t'en, Sathan, va t'en arrière,
 quer ta péticiön refuse.
 Tu scès que juge souvent use,
 sans fère ne péchié ne vice,
 teil foiz est de pure justice,
 et auchune foiz de rigour,
 qui est de trop greignour vigour,
 et aucune foiz d'équité;
 tu scèz bien que c'est vérité.
 Tout juge, se tu t'en recordes,
 a bien en son arc ces .III. cordes:
 de laquele qu'il veut peut trère,
 et droit n'est pas à ce contrère.
 Considère ces .IIII. clauses,
 tens et lieuz, persones et causes;
 juge, qui ce veut regarder,
 y peut bien droiture garder
 en faisant, tout de son office,
 équité, rigour ou justice.
 Souvent doit l'en, ce dit la lètre,
 devant justice équité mètre:
 je ne fèz point d'iniquité
 se je vuil user d'équité,
 et d'équité vuil jeu user.

tell for that reason;
 but Jesus, by His passion,
 absolved them all from this sin;
 that is how we were redeemed.
 But the Devil thought that he,
 who always has evil plans
 and is always plotting treason,
 would get us back into his prison
 if he could attribute this sin to us.
 For this reason he asked for the writ,
 if he could obtain this favor;
 that way he could prove
 that we were disobedient,
 and get us into his bonds.
 But God, Who is of such a nature
 that He understands all hidden things
 and Who was looking out for us,
 saw well what end he had in mind.
 And He spoke to him in this way:
 "Flee, Satan, get back;
 for I refuse your request.
 You are aware that, without sin or error,
 a judge often acts,
 sometimes in pure justice,
 and other times in strict justice,
 which is much more forceful,
 and sometimes in equity;
 you know that this is the truth.
 Any judge, if you remember,
 has these three strings to his bow;
 he can shoot with whichever one he likes,
 and the Law is not opposed to this.
 Consider these four issues,
 time and place, parties and suits;
 a judge, if you examine this,
 can keep within the law
 by exercising, on his own initiative,
 equity, rigor, or justice.
 The text says that you should often
 place equity before justice;
 I am not acting improperly
 if I want to act with equity,
 and I do want to act with equity;

Quant à présent bien peus muser:
 nous assignon et remuon,
 aloignon et continuon, 600
 et pour cause toute aprouvée,
 à demain, iceste journée,
 pour ce qu'il puisse miex valoir."
 "De tout ce ne me peut chaloir,"
 dist Sathan, "qui luy contr'argüe 605
 ha! Qu'est justice devenue!"
 "Comment!" dist Jhésucrist, "arrière!
 Sathan, es tu de tel manière?
 D'équité user voulion,
 si comme nous te dision; 610
 mès, quant l'en fèt droit, deul en as.
 Trébuchiez moy cel Sathenas,"
 dist il, "tout hors de paradis!
 Aussi en chaït il jadis."
 Des cyex fut jeté à grant honte. 615

Si fist à ceulz d'enfer son conte
 comment l'en l'avoit mal trètié
 et comme il avoit exploitié.
 Touz ceulz d'enfer y accoururent;
 se les autres nouveles furent 620
 dures et mauvèses et sures,
 cestes furent encor plus dures.
 De lour besoigne assez parlèrent
 et toutes voies s'acordèrent
 que nul ne peut juge acuser 625
 puis que d'équité veut user,
 et, se grace n'est départie
 de juge à présente partie,
 il n'est mie pour ce parjure,
 ne il ne fèt a nul injure. 630
 Einsi disoient lour avis
 les déables, ce m'est avis.

La court des cyex fut mout troublée,
 où joie seut estre doublée,
 quer mout lour desplut et costa: 635
 un grant concile an ajousta.
 Par lieux s'aloient assemblant
 de creinte et de poour tremblant,
 et couroient par chà, par là;
 chescun l'un à l'autre en parla; 640

for today, you can think about it.
 We assign and put off
 and delay and continue 600
 this hearing until tomorrow
 and for a well approved reason,
 so that things may be done better."
 "I don't care about all this,"
 said Satan, who objects to Him: 605
 "Oh, what has justice become!"
 "What?" said Jesus Christ, "get back,
 Satan, is this how you are?
 We wished to act with equity,
 as We told you; 610
 but when the law's laid down, you're peeved.
 'Throw this Satan for me,"
 said He, "right out of Paradise;
 he has fallen from here before."
 He was thrown down from Heaven in great shame. 615

He told his story to those in Hell,
 how he had been badly treated
 and how he had acted.
 All those of Hell came running;
 if the previous news was 620
 hard and bad and bitter,
 this news was even worse.
 They talked long abut their business
 but came to the conclusion
 that no one can accuse a judge 625
 who wants to act in equity,
 and if no favor is shown
 by the judge to the party before him,
 the judge is not thereby forsworn
 and he does injury to no one. 630
 Thus the devils gave their opinion
 as it appears to me.

The Court of Heaven was greatly troubled,
 where joy is usually twice as great,
 for events displeased them greatly and pained them; 635
 a great council gathered there.
 They came together from various places
 trembling with fear and fright,
 and ran about here and there;
 each one spoke to the others about it; 640

du Lignage Humain doute avoient,
 mès conseil mètre n'i savoient.
 Bien disoient tout esperdu
 que tout le monde fust perdu
 se ne fust la misséricorde
 de Dieu, chescun d'eulz s'i acorde,
 qui si bien avoit besoigné
 que le jour estoit aloigné
 à l'endemain, par équité;
 chescun dit que c'est vérité.

645

Tant parlèrent de ces merveilles
 que la rumour vint as oreilles
 de la douce Virge Marie
 qui de cela fut plus marrie
 que qui ly donnast un buffet.
 Elle enquist tout le voir du fêt
 et sout qu'i n'y out rien mué,
 mèz le jour fut continué
 à l'endemain certainement.
 El dist devant touz hautement:
 "Or n'aïez doute à la journée.
 Me verrez vous tout attournée
 d'estre advocat pour eulz respondre
 et pour le Déable confondre;
 bien vous povez asseürer
 jamès ne pourroie endurer
 l'Umain Lignage à desconfire:
 tant ferey qu'il devra souffire."

655

660

665

Quant celle parole out retrète,
 onques ne fut tel joie fête
 com les sains de paradis firent;
 quer la délivrance bien virent
 puis que celle out la chose emprise,
 qui est si sage et si aprise
 que rien ne creint, ne rien ne doute,
 ne le Déable, ne sa route.

670

675

Le desloial procuratour
 qui fut trébuchié de la tour
 de paradis vileinement,
 si com je dis premièrement,
 en cui de paresce n'a point,
 acourt très bien matin rapoint.
 En consistore s'est tapi,

680

they were afraid for the Human Race,
 but they did not know what advice to give.
 They said disconsolately
 that everyone would have been damned
 but for the mercy
 of God, and each one agreed about this,
 Who had done His work so well
 that the court appearance was put off
 until the next day, in equity;
 everyone said it was the truth.

645

650

They spoke so much about these marvels
 that word reached the ears
 of the sweet Virgin Mary
 who was more upset by this
 than if she had been given a blow on the ear.
 She inquired about the truth of the matter
 and learned that nothing had been changed
 but the court appearance was continued
 until the next day, certainly.
 She said aloud, before all of them:
 "Now have no fear for this appearance.
 You will see me quite prepared
 to be an advocate, to respond to them
 and to defeat the Devil;
 you can be quite confident
 that I could never bear to see
 the Human Race defeated;
 I will do whatever it takes."

655

660

665

When she had spoken these words,
 never was such joy manifested
 as the saints of Paradise displayed;
 for they saw deliverance
 since the Lady had taken on this task
 who is so wise and learned
 that she fears nothing and is afraid of nothing,
 neither the Devil nor his train.

670

675

The dishonest attorney
 who had been tossed down ignominiously
 from the tower of Paradise,
 as I said before,
 in whom there is no sloth,
 appeared again very early in the morning.
 He hid himself in the consistory,

680

mès n'y out sarge ne tapi.
 Mès au cuer out tant d'amertume 685
 que tout en esprent et alume,
 quer grant doute [a] que nul ne viegne
 qui l'Umain Lignage soustiegne.
 Tantost vit Jhésucrist venir
 pour droit et jugement tenir, 690
 noblement et en grant arroy
 si comme il appartient à roy.
 La mère au roy qui tout cria
 oÿ bien que chescun cria
 que le Déable estoit venu. 695
 Y n'i out ne grant, ne menu,
 angre n'archangre, saint ne sainte,
 qui n'eüst grant doute et grant crainte.
 El ne jut, ne ne sommeilla:
 tout maintenant s'apareilla 700
 pour aler à celle journée;
 mout fut richement atournée,
 quer toute la chevalerie
 des cyex vint en sa compaignie.
 Quant el dut de son lieu partir, 705
 maint angre y out et maint martir,
 et tant de virges y avoit,
 que nul le nombre n'en savoit,
 et si y revint maint apostre.
 Chescun dist: "L'eneur sera nostre,
 puis que ma Dame la reïne
 veut desfendre ceste atayne."
 Einsi la Mère Dieu menèrent
 et de lie loer se penèrent;
 chescun en passant l'enclina 715
 en chantant *Ave Regina*;
 de douz chans chantè[re]nt assez;
 nul n'en poveit estre lassez;
 chescun disoit en son langage,
 pour donner li greignor courage: 720
 "N'aiez pas des pécheors honte;
 y ne fust pas de toy tel conte,
 n'au filz Dieu ne fusses pas mère,
 s'Adan, nostre premerein père,
 n'eüst péchié par son outrage;
 soustien donques l'Umain Lignage 725

but there was neither cloth nor carpet to cover him.
 And he had such bitterness in his heart 685
 that it made him catch fire and burn
 for he was very much afraid that someone would come
 to support the Human Race.
 Soon he saw Jesus Christ appear
 to hold the trial and the hearing, 690
 nobly and in full array
 as befits a king.
 The king's mother, to whom everyone cried out,
 heard very well that each one was shouting
 that the Devil had made his appearance. 695
 There was not one of them, great or small,
 angel or archangel, male or female saint,
 who was not afraid and in great fear.
 She did not lie down or sleep:
 she dressed herself immediately 700
 to go to this court appearance;
 she was accompanied in rich array,
 for all the nobility of heaven
 came forward in her party.
 When she left for the court 705
 there was with her many an angel and many a martyr,
 and there were so many virgins
 that no one knew their number,
 and many an apostle came as well.
 Each one was saying: "The victory will be ours 710
 since Our Lady the queen
 is willing to defend against this attack."
 Thus they led forward the mother of God
 and all were at pains to praise her;
 each one in passing bowed low 715
 while singing "Ave Regina."
 They sang many sweet songs;
 no one could be wearied by this;
 each one said, in his own language,
 in order to encourage her: 720
 "Be not ashamed of these sinners;
 there would not be so much made of you,
 nor would you have been the mother of God
 if Adam, our first father,
 had not sinned by his outrageous behavior;
 sustain, therefore, the Human Race 725

à cuy tu es si bien tenue:

bien scèz que tu en es venue."

La Dame ne s'en courcha pas,

mès tout bèlement, pas à pas,
s'en vint très bien matin à court.

Bien sceit que pas ne sera court
le plèt, quer certainement pense
qu'elle y mètra bonne deffense.

Par là où la Dame passa
chescun y vint et entassa,
et disoit chescun à grant joie:
"Véz ci ma Dame; fêtez voie."

Einsi s'en vint en consistore
désirant d'avoir la victore,
et vint, Dieu mercy, tout à tens.
Jà iert le mal advocat ens,
qui ne fesoit mès fors atendre
que il peüst deffaute prendre.

Quant Dieu vit sa mère venir,
de rire ne se pout tenir

et, quant il la vit apreuchier,
nul ne li pourroit repreuchier,
à sa destre la fist sèer,

que chescun le pout bien vèer.

Quant la Mère Dieu fut assise
aprèz son fils, qui tant la prise,
et elle out .I. poy atendu,

"Beau filz," dist el, "j'ai entendu
que Sathan, pour ne scey quel chose,
vers l'Umain Lignage s'oppose
et l'a fèt devant toy semondre;
et je suy preste de respondre
se l'en lour veut rien demander.

Or li fey donques commander
qu'il viegne plèdier sans déloy:
il sceit assez canon et loy

pour troubler .I. bon jugement;
et tu scèz bien certainement
c'onques bien n'ieSSI de sa bouche.

L'Umain Lignage trop me touche
quer j'en fuy estrète et nourrie.

Or ploure le Déable ou rie
et face grant deul et grant noise,

730

735

740

745

750

755

760

765

to whom you are so attached;

you know you sprang from them yourself."

The Lady was not annoyed by this,

but step by step, gracefully,
she came very early to the court.

She is aware that the case will not be short,
for she certainly thinks
she will put up a good defense.

Everywhere the Lady passed
everyone came and crowded around,
and all said with great joy:

"Here is my Lady; make way for her."

Thus she came into the consistory
eager to have the victory,
and she appeared, thanks be to God, in good time.

The evil advocate was already there,
doing nothing but waiting
to see if he could obtain a default.

When Jesus saw His mother enter,

He could not help smiling

and when He saw her approach,

He did what no one could hold against Him:

He made her sit at His right hand
so that everyone could see her well.

When the mother of God was seated
next to her Son who cherishes her so,
and she had waited a little,

she said: "Dear son, I have heard
that Satan, I know not why,

is accusing the Human Race
and has summoned them before You.

And I am ready to make an answer

if anyone wants to make a complaint against them.

Therefore, have him commanded
to come with his pleading without delay.

He knows enough Canon and other Law
to corrupt a good hearing
and you can be quite sure

that no good ever came out of his mouth.

The Human Race touches my heart
because I was born and raised in it.

Now let the Devil laugh or cry,
and let him make woe and a great noise,

730

735

740

745

750

755

760

765

pour eulz serey, comment qu'il voise. 770
 Viegne avant, si face sa plainte."
 Adonc n'y out ne saint, ne sainte,
 qui la Dame ne merchiast
 et qui tout haut ne s'escriast:
 "Vèz là le mauvèz sourquidié 775
 de bien et de grace vuid[i]é,
 l'orde puant beste camuse,
 celui qui nos frères acuse.
 Onques ne cessa ne ne cesse
 de fère au Lignage Humain presse. 780
 Or est tout mu et tout tremblant;
 il ne fèt mie le semblant
 qu'il fist par plus de cent foiz ier;
 onques ne cessa de noisier.
 Or viegne avant dire son conte." 785
 Lors out il grant deul et grant honte,
 quer bien pensa que sa besoigne
 seroit tout tenue à hoigne.
 Il vint, quant il fut appelé;
 mès pas ne doit estre celé 790
 qu'il vint tenant la chièr basse
 comme povre persone lasse,
 quer il n'osoit pas regarder
 la Virge, qui devoit garder
 tout l'Umain Lignage et deffendre. 795
 Et si redoit l'en bien entendre,
 tout fust elle esperituel,
 qu'elle esgardoit d'uyel si cruel
 que bien pèroit la douliance
 de son cuer par sa contenance. 800
 "Or chi," ce luy dist nostre Sire,
 "di tantost, se tu veuz rien dire
 encontre le Lignage Humain,
 pour quoy huy es si venu main.
 Or te délivre en brief espace." 805
 "Ha," dist Sathan, "sauf vostre grace,
 gardéz ne fètez chose neuve,
 et que sanc et char ne vous meuve.
 Père saint, tu es vérité
 et es en touz lieuz équité. 810
 Tu dis que je die ma cause.
 Non ferey: là n'en direy clause,

I will be on their side, whatever happens; 770
 let him step forward and lodge his complaint."
 Then there was neither male nor female saint
 who did not thank the Lady,
 and who did not cry aloud:
 "See here the evil upstart 775
 bereft of grace and goodness,
 the filthy, stinking, pug-faced beast,
 the one who is accusing our brothers.
 He has never ceased, and does not cease now,
 from harassing the Human Race. 780
 He is silent and trembling,
 he doesn't have the expression now
 that he had more than a hundred times yesterday;
 he never stopped yelling.
 Now let him come forward and tell his tale." 785
 Then he had great woe and shame
 for he was convinced his business
 would all be considered falsehood.
 He came when he was called;
 but it must not be concealed 790
 that he came with his head hung low
 like a poor exhausted person;
 for he did not dare look at
 the Virgin, who had undertaken to protect
 and defend the whole Human Race. 795
 And you must understand,
 although she was so pure of spirit
 that she stared with such an implacable eye
 that the sorrow of her heart
 was visible on her face. 800
 "Come here," Our Lord said to him,
 "if you have anything to say, say it now
 against the Human Race
 for which you came here so early in the morning.
 Now make your speech short." 805
 "Ah," said Satan, "save your Grace,
 take care not to change the procedures,
 and let not flesh and blood sway You.
 Holy Father, You are truth,
 and in all places You are equity. 810
 You are telling me to set forth my case;
 I will not do so; I will not say one sentence,

non pas une soule parole;
 je ne voy à cuy je parole.
 Tu scèz qu'avoir doit vraiment
 .III. persones en jugement:
 l'auctour faut et le deffendant,
 et le juge, qui entendant
 doit estre à jugier par rëson
 quant il en est tens et sëson.
 Le deffendant ne voy je pas."

815

La Virge dist ysnelepas:
 ".III. persones, dist Sathan, faillent
 à ce que le jugemens vailent,
 l'auctour, le deffendant, le juge
 à cuy les .II. pars ont refuge.
 Le juge y est, loial et sage,
 Et j[e] y suy pour l'Umain Lignage;
 mès je ne voy pas en cest estre
 nulluy qui pour l'auctour puisse estre,
 et droit dit, chescun bien le sceit,
 que tout le premier fondey seit.
 Le contrère ne vi jeu onques."

820

825

Le Déable respondi donques:

"Je suy bien, à m'entencion,
 fondey par procuracion,
 quer le juge bien l'esprouva:
 onques fausseté n'y trouva,
 et pour ceu oy jeu la semonse."
 A ce fist la Dame response,
 aussi com[me] fame qui s'aïre,
 qui de légier s'esmeut à ire,
 et dist: "Quant tu te fëz partie,
 y convient que j'aie copie
 des ces instrumens que tu dis."

835

840

"Je seroie trop enrudis,"
 dist Sathan, "se je la bailloie
 devant que ma partie voie:
 à cuy seroit elle baillie?"

845

"Véz me cy tout apareillie,"
 dist la douce Virge, "en présent;
 pour advocat me représent."

850

Le Déable respondi là,
 qui son engin lors afile:
 "Entent, père saint, et regarde,

855

not even a single word;
 I do not see my adverse party.
 You know that truly there must be
 three persons present at a trial:
 you need the plaintiff and the defendant,
 and the judge who must be intent
 on judging according to reason
 when the time is right.
 I do not see the defendant."

815

820

The Virgin said without delay:

"Satan says that three persons are needed
 for a trial to be valid,
 the plaintiff, the defendant, and the judge
 to whom the two parties are applying.

825

The judge is here, fair and wise,
 and I am appearing for the Human Race,
 but I do not see here in court
 anyone who can be appearing for the plaintiff,
 and the Law says, as everyone knows,
 he should establish his credentials first.
 I have never seen it the other way around."

830

Then the Devil answered:

"In my view, I am lawfully
 entitled by an attorney's appointment
 for the judge has approved it;
 he found no mistakes in it and for this reason
 I obtained an order for a summons."

835

To this the Lady responded,
 like a woman who is annoyed,
 who is easily roused to anger,
 and said: "Since you claim to be a party,
 it is proper for me to have a copy
 of this instrument you mention."

840

845

"I should be too hasty,"
 said Satan, "if I handed it over
 before I saw my adverse party.
 To whom should it be handed over?"

"You see me here all ready,"
 said the gentle Virgin, "and present:
 I state that I am the advocate."

850

Thereupon answered the Devil,
 who then quickly produced his stratagem:
 "Listen, Holy Father, and consider,

855

tu qui es de vérité garde,
 ta mère ne doit estre oïe
 en fêt que soit d'advocacie.
 Adverti toy que droit commande
 fame ne peut fère demande 860
 n'estre pour autre; c'est la somme;
 tel office appartient à homme.
 Derrechief, c'est bien chose clère,
 tu es son filz, elle est ta mère,
 le soupechon est tout voiable," 865
 (ce dist Sathenas, le Déable),
 "ta mère est, si l'aymes et croiz,
 ne de lie croire ne recroiz;
 si t'aureit tost, je n'en dout mie,
 tourney par devers sa partie. 870
 Pour ces .II. causes di jeu voir
 qu'en ne la doit pas recevoir."

La douce Virge gracieuse
 fut de respondre curieuse;
 si respondi en ceste guise: 875
 "Beau chier filz," dist elle, "or t'avise
 que tu ne soiez desvoïé
 par la fraude à cest renoié.
 Il aferme, pour toy déchoivre,
 que tu ne me dois pas rechoivre. 880
 Il ment, jeu di en audience,
 et dit contre sa conscience:
 onques ne fut en ly trouvée
 vérité, c'est chose prouvée.
 Beau fils tres douz, beneüré, 885
 tu as de luy trop enduré.
 Tout sens, tout bien et tout los as;
 les droiz feïs et composas;
 tu scèz qu'il ment desloiaument.
 Se fames tout généraument 890
 ne pevent pour autres plèdier,
 si pevent eulz de droit èdier
 en aucuns cas especiaux,
 par devant touz officiaux,
 et en ces cas ont avantage. 895
 Petitz enfans desous aage,
 veuves persones pitéables,
 tiex gens, maugré touz les déables,

You who are the guardian of the truth.
 Your mother should not be heard
 in the matter of trial advocacy.
 I advise You that the Law requires
 that a woman must not be a plaintiff, nor appear 860
 on behalf of another; that's the whole truth.
 These are a man's duties.
 Secondly, it's quite clear
 You are her Son, she is Your mother,
 the suspicion of bias is quite evident," 865
 (thus spoke Satan, the Devil),
 "She is Your mother, and You love and believe her,
 nor do You refuse to believe her;
 and I do not doubt that she would soon
 incline You to her party's side. 870
 For both these reasons, I say truly
 that she should not be accredited."
 The gentle, gracious Virgin
 was eager to answer;
 and she did respond, in this fashion: 875
 "Fair dear Son," she said, "now I advise you
 not to be misled
 by the fraud of this renegade.
 He avers, in order to deceive You
 that You should not accredit me. 880
 He lies, right here in court I say,
 and speaks contrary to his knowledge;
 never was truth found in him,
 it's a proven thing.
 Fair dear Son, blessed one, 885
 You have endured too much from him;
 You have all wisdom, all goodness, and all praise;
 You made and composed the Laws;
 You know he is lying dishonestly.
 If women may not generally 890
 plead on behalf of others
 they may lawfully be of assistance
 in some special cases
 before all ecclesiastical judges,
 and they are permitted to do so. 895
 Little children not yet of age,
 and pitiful widow women,
 such persons, in spite of all the Devils,

pevent fames par doit deffendre,
et le juge les y doit prendre. 900
Je croy qu'i n'est desouz le trone
si très misérable persone
com le monde et l'Umain Lignage,
que Sathan u premier servage
s'efforce mout de ramener 905
pour perpétuelment pener.

"Après je suy, parmy son conte,
mère au juge. Ce n'est pas honte!
C'est hennour et non pas diffame!
Sa mère suy, donc suy je fame; 910
quant l'en m'apèle au jugement,
comme fame, non autrement,
rechoif m'i donc; c'est ma requeste.
Contre celle mauvēse beste,
le fêt vuil comme fame emprendre; 915
à moy apartient à deffendre,
car qui est de l'Umain Lignage
peut ci avoir trop grant damage,
et j'en suy voir, je nu nye mie;
si vuil deffendre ma partie; 920
ce n'est pas droiz que je m'en tèse.
S'escumminiée mauvēse,
ou juye ou hérétique fusse,
mes deffenses sauves eüsse.
Donc doy jeu, je n'en doute mie, 925
en moy deffendant estre oïe.

"Après tu scèz, beau chier filz monde,
.III. estaz de gens a u monde:
virges, mariées, continens.
Quant en paradis chà vin ens, 930
j'avoie tous les .III. eüs;
bien le scès et bien le seüs,
des .III. estaz suy alosée.
A Joseph fuy je espousée;
virge fuy jeu, de ceu me vant, 935
après l'esfanter et devant.
Virge te portey tout mon terme
aussi comme .I. grain de blé germe
et donne fruit et se bourjonne
sans ceu qu'autre grein ne li donne 940
aïde ne soustènement;

can be lawfully defended by women,
and the judge must accept them to do so. 900
I believe there is not beneath the throne
as needy a person
as the World and the Human Race,
whom Satan is trying hard
to return to their first servitude, 905
to be tormented perpetually.

"On the second issue, I am, according to his tale,
the mother of the judge. This is no shame!
It is an honor and not a slur;
I am His mother, therefore I am a woman; 910
Since I am called to the court
as a woman, and not otherwise,
accept me here; this is my request.
I will undertake the suit as a woman
against this evil animal; 915
it falls to me to defend,
because whoever issues from the Human Race
can suffer great loss in this matter
and I am part of it, I do not deny it;
thus I want to defend my party; 920
it is not right for me to be silent.
Were I an evil excommunicate
or a Jewess or a false heretic,
I would still have my defenses;
therefore, I have no doubt of it, 925
I should be heard in my own defense.

"In addition You know, fair, dear, pure Son,
there are three orders of women in the world:
virgins, married women and the celibate.
When I arrived in Paradise, 930
I had belonged to all three;
You know this and appreciate it;
I am a part of all three orders.
I was married to Joseph;
I pride myself that I was a virgin 935
before I gave birth, and after it.
I carried You to term as a virgin,
as a grain of wheat germinates
and gives fruit and buds out
without another seed giving it 940
help or sustenance.

einsi, sans nul atouchement
 te conchuy jeu et esfantey,
 de quoy encor hennour grant ey.
 Tu veïs semblable miracle 945
 quant Aaron u tabernacle
 mist la verge sèche, flestrie,
 pour avoir de prestre mestrie,
 et la verge si se prouva,
 qu'a l'endemain l'en y trouva 950
 branches et flors et fruit meür.
 J'ay, ce me semble, autel eür,
 que je conchuy, sans acouchier,
 ton cors, que je n'ey pas pou chier.
 Je puis bien dire en audience 955
 que j'ay bien gardé continence;
 nul ne me peut de ceu reprendre.
 Donc di jeu que je puis deffendre
 touz les .III. estaz de damage,
 qui sont en tout l'Umain Lignage, 960
 et, pour ce qu'en vaut la celée,
 doy Advocat estre appelée.
 Or me reçois donc orendroit
 quant il est contenu en droit:
 quer .I. estrange y rechevroies
 et bien recevoir l'i devroies,
 selon les rèsons que j'ai dites,
 qui toutes sont en droit escriptes."
 Le Sathan, qui de deul fondi,
 par grant ire lui respondi: 970
 "Tu ne le seras pas encore:
 j'en demant interlocutore."
 Les rèsons des .II. pars oïes,
 jugié fut entre les parties
 que Nostre Dame plèderoit
 et que Déable li feroit
 de toutes ses lètres copie.
 Quant el les out en sa baillie,
 onques tant nes sout esprouver
 que défaute y peüst trouver. 980
 Mès el dist aussi com par ire:
 "Or die ceu que voudra dire
 ces desloial procuratour!"
 "Volentiers," dist il, "je m'atour

Thus without having been touched,
 I conceived and bore You,
 for which I still have great honor.
 You witnessed a similar miracle 945
 when Aaron planted the dry
 withered stick in the tabernacle,
 to get the better of the priests;
 and the stick so proved itself
 that it was found there the next day 950
 with branches and flowers and ripe fruit.
 It seems to me I have this same good fortune,
 that without knowing a man I conceived You
 of Whom I am not a little fond.
 I can avow in court 955
 that I have remained chaste;
 no one can reproach me about this.
 Therefore I say that I can defend
 from loss all three orders
 which make up the entire Human Race 960
 and for this reason—why hide it?—
 I should be called an advocate.
 Therefore accredit me right away
 since it is written in the Law:
 for You would receive a non-relative 965
 and You should receive such a person
 for the reasons I have set forth
 which are all written in the Law."
 Satan, who was melting with pain,
 responded to her in great wrath: 970
 "Nevertheless, you will not be accredited;
 I demand an interlocutory judgment."
 The arguments on both sides having been heard,
 a decision was given to the parties
 that Our Lady would make the pleadings 975
 and that the Devil would have a copy made
 for her of all his documents.
 When she had them in her possession,
 with no amount of effort could she
 find any defect in them. 980
 But she said as if in anger:
 "Now let this dishonest attorney
 say what he wants to say."
 "Willingly," he said, "I am about to

à dire sans plus reposer: 985
mon fêt einsi vuil proposer.
"Syre, je di, quant à présent,
quant aucun despoulli[é] se sent,
s'il veut procéder loiaument, 990
au premier doit principalement
requerre sa possession.
Bien scèz que la condicion
de cil qui poursiet, droit l'aferme,
est la meillour et la plus ferme.
C'est ce maintenant que je quier. 995
Comme procuratour, requier,
u nom de la grant compaignie
d'enfer et de sa félonnie,
d'estre restitué de plein.
Despoullié suy, dont je me plein: 1000
ma possession doy ravoir,
quer chescun scèt et doit savoir,
— partout est la chose sceüe —
que j'ai possession eüe,
bonne, souffisant et pèsible, 1005
de porter en enfer l'orrible
et de tormenter à grant rage
trestouz ceulz de l'Umain Lignage.
Droit dit, et si font tuyt li mestre,
que les despouilliez doivent estre 1010
restituéz premièrement,
ains que l'en voise au jugement.
Pour ce di jeu avant toute euvre,
anchièz que de rien ma bouche euvre
pour plèdier ne pour opposer, 1015
qu'arrière me doit l'en poser
en pèsible possession.
Ce fêt, je vuil que nous dïon
nos fèz, si comme droit dourra:
si en ait qui avoir [en] pourra." 1020
L'Advocat à l'Umain Lignage
respondi, et dist comme sage:
"Entent, beau filz beneüre,
le fel desloial parjuré,
le Sathenas, filz de Déable, 1025
filz d'iniquité, mal créable,
qui est auctour de ceste chose

speak without delaying any further. 985
This is how I state my claim.
"Sire, I say that nowadays,
when someone feels dispossessed
if he wants to proceed honestly
he must first and foremost 990
ask to recover possession.
You know, and the Law affirms this,
that the position of the plaintiff
is the best and firmest.
This is what I am now seeking 995
and requesting as the attorney,
in the name of the great company
of Hell and its felony:
to obtain full restitution.
I have been dispossessed, this is my complaint; 1000
I should get back possession,
for everyone knows and should know
—the principle is known everywhere —
that I have had possession,
good, sufficient, unchallenged, 1005
to carry off to horrible Hell
and to torment in great fury
all those of the Human Race.
The Law says, and so do all lawyers,
that those who have been despoiled 1010
must first be given back possession
before they go to trial.
For this reason, before any further procedures,
before I open my mouth to say anything more,
to press my charge or to respond to her, 1015
I must be put back
into peaceful possession.
Once this is done, I want us
to make our pleadings, as the Law requires;
and then let each have what he can get." 1020
The advocate of the Human Race
replied, saying like a wise woman:
"Listen, fair, blessed Son,
the villainous, dishonest, perjured one,
Satan, son of a devil, 1025
son of iniquity, not to be believed,
who is the plaintiff in this case,

et fausseté aus droiz impose.
 Il est mout bien acoustumé
 de mentir, le fel enfumé. 1030
 Sa menchange touz aperchoivent:
 les auctors, dist il, estre doivent
 restituéz premièrement;
 les droiz l'entendent autrement;
 il ment, le fel advocat ort; 1035
 ce sont les despoilliéz à tort
 que l'en doit, ce dit bien la lètre,
 arrière en possession mètre;
 doncques ne doit pas, quant à voir,
 l'autour possession avoir. 1040
 Et si di plus: le deffendant,
 ce font bien les droiz entendant,
 qui a poursis notorement,
 non par force, mès justement,
 par bon titre, en bonne manière, 1045
 doit l'en restituer arrière.
 Mès onques Sathan le traître
 n'i out bonne foy, ne bon titre,
 ne il n'en a lètre ne chartre:
 bien est voir qu'il gardoit la chartre 1050
 comme .I. bedel, comme .I. truant,
 comme .I. autre garçon puant.
 Par ceu di jeu, à ma deffense,
 beau très douz chier filz, or y pense,
 —c'est de tout droit l'entencion— 1055
 que cil a la possession
 et doit avoir, c'est texte et glose,
 en queil non l'en poursiet la chose.
 Beau très touz filz, or t'y avise:
 la chose est en ton non poursise; 1060
 tu possis homme et posseïs,
 quer tu le crias et feïs.
 Donc est [il] tien, ton droit y as,
 quer tu le feïs et crias.
 Sathan, ce peut l'en bien savoir, 1065
 n'i pourroit bonne foy avoir,
 ne n'a, ne n'out en chose estrange.
 Bien pert que voir à faus nous change,
 et, s'il a poursis longuement
 ou, pour parler plus proprement, 1070

is imposing falsity even on the Law.
 He is very well accustomed
 to lie, the evil one, stinking of smoke; 1030
 everyone sees his lies.
 He says that the plaintiffs must be
 first of all placed back in possession.
 The Laws construe this differently;
 he lies, this villainous, filthy advocate; 1035
 it is the *unlawfully* dispossessed
 who must be, as the Law says,
 placed back in possession.
 Therefore, in plain truth,
 the plaintiff should not regain possession. 1040
 And I say more: the Laws make it clear
 that the defendant
 who has acted, to everyone's knowledge,
 not by force, but justly,
 through good title, in a proper way, 1045
 should be entirely reinstated.
 But Satan, this traitor,
 never had good faith or good title,
 nor did he have a deed or charter;
 it is true that he kept the prison 1050
 like a mercenary, like a scoundrel,
 like some other stinking churl.
 For this reason I say in my defense,
 fair gentle Son, now think about it;
 it is the intention of all Law 1055
 that the person has and should have possession
 in whose name the thing is being sought;
 this is according to the Law and the gloss.
 Fair gentle Son, now take thought:
 the case is pursued in Your name, 1060
 You possess man and possessed him,
 for You created and made him.
 Thus he is yours, You have rights over him
 for You made him and created him.
 One can be certain that Satan 1065
 could not be acting in good faith,
 nor is he, nor did he ever in anything belonging to another.
 It is clear that he is changing truth to falsehood,
 and if he has long pursued man,
 or to speak more exactly 1070

à force en prison détenu,
 de quoy est donc cest droit venu?
 S'il le tent en estrange non,
 sera il sien? Je croy que non,
 qui droit et rëson voudra fère:
 nul ne peut dire le contraire.
 Nulle longue prescripcion
 n'aide à tel possession,
 où bonne foy n'est bien gardée;
 mès onc ci ne fut regardée
 n'onques ne poursist en sa vie
 de bonne foy, que que nul die,
 n'onques n'en fut fors détentour.
 Or voist hardiëment entour
 et rechine assez et escume,
 quer je respon droit et coustume
 que[r] porseer est autre chose
 que détenir. Bien dire l'ose:
 il est escript en la Digeste.
 Donc faudra il à sa requeste;
 quer je puis bien conclure donques,
 quant possession n'en out onques,
 que restitué n'iert il mie;
 quer, là où il a tricherie
 sans bonne foy, sans loiauté,
 ce ne seroit pas égaüté
 qu'il eüst restitucion
 sans titre, par présumpcion.
 Tout ainsi est il en propos
 en ce que je di et propos.
 Di moy, dampné et réprouvé,
 te souffict ceu que j'ai prouvé?
 "Or me di, la Trinité toute,
 mon chier filz, qui ci nous escoute,
 le Saint Esperit et le Père,
 ne firent il, c'est chose clère,
 le premier père à lour ymage,
 de cuy vint tout l'Umain Lignage?
 Donques es tu bien décheüs.
 Comment de bonne foy peüs
 chose estrange bien porseer?
 Nul droit ne s'i peut asseer.
 Donc dois tu estre refusez

1075

1080

1085

1090

1095

1100

1105

1110

has held him in prison by force,
 how has he acquired this right?
 If he held man in someone else's name
 will he remain his? I think not.
 Anyone wishing to keep to law and reason
 could not say the contrary.
 No long adverse possession
 can suffice to establish possession
 where good faith is not kept;
 But there was no regard for good faith here,
 nor did he ever sue for anything in his life
 in good faith, whatever anyone says,
 nor was he ever anything but a mere holder.
 Now he may look around boldly
 and foam and bristle,
 for I reply according to Law and Custom
 that possessing is a different thing
 from owning; I dare say so;
 it is written in the *Digest*.
 Therefore he will fail in his request;
 for I may therefore conclude
 since he never had possession,
 it cannot be restored to him;
 for where there is trickery,
 without good faith, without honesty,
 it would not be equity
 if he were restored to possession
 without title, on a mere presumption.
 This is how the reasoning goes
 for what I say and propose.
 Tell me, damned reprobate,
 is what I have proved enough for you?
 "Now tell me, Holy Trinity together,
 my dear Son, who listens to us here,
 the Holy Spirit and the Father,
 did they not clearly make
 in Their image the first father
 from whom came the whole Human Race?
 Thus you lose this point.
 How could you in good faith
 own something belonging to another?
 No law could be cited for it.
 Therefore your request should be denied

1075

1080

1085

1090

1095

1100

1105

1110

par droit. Or respon, se tu scez."

Le Déable de deul fondi
et par engaigne respondi: 1115

"Qui voudroit croire ceste dame,
jamès en enfer n'yroit ame;
mès y ne seroit pas mestier.
Mout s'est or prise à beau mestier, 1120
à noisier et à jargonner;
nul ne peut .I. soul mot sonner,
fors lie, en tout cest consistore.
J'en demant interlocutore,
que ma longue prescripcion 1125
m'aquert par droit possession."

Veüs les droiz souffriesaument,
veü les rèsons loiaument
de l'une et de l'autre partie,
y fut dit que par droit n'est mie 1130
le Déable institué.

Qui adonques l'eüst tué,
il n'eüst mie plus frémi.
Pour la Mère Dieu, qu'il crémi,
rechina et fist male chière. 1135

Sa main mist à sa gibechière,
si en sachà hors une Bible
mout enfumée et mout horrible,
pour nostre Advocat desconfire, 1140
et commencha tout haut à lire
u *Genesi*, où Dieu manda
à nos pères et commanda

ces moz, qui ci sont arrengiés:
'Bien vuil,' dist il, 'que vous mengiés
de tout le fruyt que trouverez
tant comme en paradis serez, 1145
.I. excepté tant seulement.

Se vous en mengiez, vraiëment
en l'oure de tel mort morrez
dont délivrer ne vous pourrez.' 1150

Il entendi de mort seconde,
ce dient touz les clers du monde,
et, qui veut parler proprement,
c'est la mort d'enfer droitement;
ce n'est rien autre chose à dire." 1155

Lors se tourne envers nostre Sire

by Law. Now answer, if you can."

The Devil was torn by grief, 1115
and responded thus craftily:

"If anyone wanted to believe this lady,
no soul would ever enter Hell;
there would no longer be any need of it.
Now she has started a fine job 1120
of fussing and talking lawyer talk;
No one can speak a single word,
except her, in this whole consistory.
I request an interlocutory judgment,
finding that my long adverse possession 1125
gives me possession by Law."

The law having been consulted
and the arguments heard honestly
from both parties,
it was held that according to Law, 1130
the Devil was not granted possession.
He would not have trembled less
in his death throes.

Because of the Mother of God, whom he feared,
he bristled and made a wry face. 1135

He thrust his hand into his pouch
and pulled out a Bible,
full of smoke and smelling most disgusting,
to defeat our advocate; 1140
and he began to read aloud

in Genesis, where God commanded
our fathers, and ordered them
with these words, which are here cited:
"I permit," He said, "that you eat 1145
all the fruit you find
as long as you are in Paradise,
with one exception only.

If you eat of it, then truly
at that moment you will die a death
from which you cannot be saved.' 1150

He meant the second death,
so say all the clerics in the world,
and if you want to speak as you should,
it is plainly the death of Hell;
there is nothing else to say." 1155

Then he turned to Our Lord,

et le dist tout en audience:

"Regarde. Est ce ci ta sentence?"

Jhésucrist dist: "Oïl, sans faille."

Dist Sathan: "C'est droit qui me vaille.

1160

Quant Adan et Eve feïs

et en paradis les meïs,

tu deïs que des fruyz menjassent,

de tous, fors qu'à .I., n'atouchassent;

ton commandement bien oïrent

1165

mès de touz poins désobéïrent

et contre ton vouloir péchièrent,

quer par lour folie mengièrent

le pïere pomme du pourpris,

et pour ce furent il pourpris

1170

de maladie si cruel

qu'el doit estre perpétuel

en toute leur postérité.

N'es tu justice et vérité?

Fey donc tes paroles estables,

1175

ou tu n'es mi véritables,

et met à condempnation

Adam et sa succession."

Nostre bonne Advocate arrière

respondi en ceste manière:

1180

"Beau filz, entent à mes paroles;

ne pense pas aus paraboles

de cel fel plein d'iniquité.

Il a dit d'une auctorité

le chief malicieusement,

1185

mès il a fraudou[lou]sement

la queue celée et teüe.

Devant toy, et à ta veüe,

je treuve u *Genesi* escrites,

puis les paroles qu'il a dites,

1190

comme Sathan mauvésement,

que luy que son commandement,

le mauvéz conseil conseillièrent

à nos pères, dont il mengièrent

le fruyt qui lour iert deffendu,

1195

qui puis lour fut mout chier vendu.

"Sathan dist en cest manière

à Eve, la fame première:

'Quant vous de cest fruyt mengerez,

and he said to Him in the presence of the court:

"Look. Are these Your words?"

Jesus Christ said, "Yes, without fail."

Satan said: "This is a law which upholds my side.

1160

When You created Adam and Eve

and placed them in Paradise,

You said they might eat of all the fruits

except one, which they might not touch;

they heard Your commandment properly,

1165

but they absolutely disobeyed

and sinned against Your command,

for in their folly they ate

the worst apple in the garden

and for this reason they were overtaken

1170

by such a cruel malady

that it should be perpetual,

in all their posterity.

Are you not justice and truth?

Make Your words effective, then,

1175

or You are not believable,

and place in condemnation

Adam and his seed."

Our good Advocate answered

him back in this fashion:

1180

"Fair Son, listen to my words.

Don't give a thought to the fabulations

of this evil one, full of iniquity.

He has maliciously quoted

the beginning of the authority,

1185

but he has fraudulently

hidden and skipped over the end of the passage.

Before You, and in Your sight,

I find written in Genesis,

after the words he quoted,

1190

how Satan evilly

(either he himself or another by his command)

gave bad advice to our fathers,

for which reason they ate

the fruit which had been forbidden them,

1195

which thereafter cost them very dear.

"Satan spoke in this manner

to Eve, the first woman:

'When you eat this fruit

itiex comme Dieu est, serez,
 et bien et mal saurez ensemble;
 il ne veut que nul li ressemble.'
 Et, pour ce qu'elle se douta,
 el li dist: 'Ici grant doute a;
 Dieu nous dist que nous mourrion
 quant de cel fruyt mengerion.'
 Sathenas dist, sans demourance:
 'Non ferez, n'en aiez doutance;
 dès ce que mengié en aurez,
 autretant comme il sceit saurez.'
 Et ainsi par sa traïson
 firent il la grant mesprison.
 Selon le sens de celle clause,
 Sathan fut de lour péchié cause:
 il fut de lour mort achèson.
 Si di, par droit et par rëson,
 qu'il ne doit pas estre escouté
 contre eulz, mès tout hors débouté.
 Pas n'i doit estre recheü
 quant par luy furent décheü.
 Je di que fraude ne doit mie
 à celuy qui fèt tricherie
 édier, mès el le doit confondre.
 Ici ne sauroit nul respondre.
 Nul ne doit estre relevé
 de ceu dont doit estre grevé,
 quer chescun doit en son outrage
 avoir vilenie et damage;
 et, s'il les povèt accuser
 pour le fruyt qu'i lour fist user,
 sa fraude li profiteroit
 et bien pour mal reporteroit,
 et auroit atteint son vouloir
 de ceu dont il se doit douloir.
 C'est cas exprès de décrétale.
 Je vuil donques qu'il se dévale
 et qu'il soit bien vileinement
 débouté de cest jugement
 et hors de ceste court chacié,
 quant par luy furent enlacié
 ceulz méesmes qu'il fèt semondre.
 Je ne deigneroie respondre

1200

1205

1210

1215

1220

1225

1230

1235

1240

you will be as God is,
 and you will know both good and evil;
 He does not want anyone to be like him.'
 And because she was anxious,
 she said to him: 'There is great doubt here:
 God told us we should die
 if we ate of this fruit.'
 Satan said without pausing:
 'No, you will not, have no fear;
 as soon as you have eaten of it,
 you will have knowledge as He has knowledge.'
 And thus by his treason
 they committed the great offense.
 According to the meaning of this reading
 Satan was the cause of their sin;
 he was the reason for their death.
 And thus I say, according to Law and reason,
 he should not be heard
 against them, but thrown out.
 He should not even be received to plead
 since they fell because of him.
 I say that fraud should not help
 the one who is doing the trickery,
 but it should confound him.
 Here he can have no response.
 No one should be repaid
 by that for which he should be harmed,
 but for his outrageous actions
 should deserve contempt and loss,
 and, if he could accuse them
 by reason of the fruit he made them eat,
 his fraud would profit him
 and he would get back good for evil,
 and he would have accomplished his will
 in that which should make him lament.
 It's explicitly stated in the *Decretals*.
 Therefore I want him to step down,
 and to be ignominiously
 booted out of this suit,
 and chased out of this court,
 since he entrapped
 the very ones he has had summoned.
 I would not stoop to make an answer

1200

1205

1210

1215

1220

1225

1230

1235

1240

à luy, nē à ceulz de sa route,
quer droit mēesmes hors les boute.”

Quant le Déable oÿ ceu dire,
il s'enfla si de deul et d'ire
qu'à bien petit qu'il ne creva,
quer la response le greva.
Si dist au juge par malice:
“Entent moy, père de justice,
ne me soiez pas tant contraire;
fey com bons juges doivent fère,
qui en cest cas en tout costé
veulent user de lour posté
et ensuyvre droit et justice.
Or, soit posé sans préjudice
que je soie de ma demande,
si com celle dame demande,
et refusé et escondit,
si dois tu entendre à mon dit;
quer je requier ton noble office,
où il ne doit avoir nul vice,
que l'en punisse le forfèt
dont j'ay la plainte en cest jour fèt.
Posé soit que je me teüsse
et que jamès plèt n'en meüsse,
tu ne t'en devroies pas tère,
quer tu es tenu à droit fère.
Se les juges droit ne fesoient,
les mauz impunis remaindroient:
si ne seroit pas équité.
A cela, de neccessité,
et ce sceivent grant et menu,
chescun juste juge [est] tenu.
Or punis donc, de ton office,
le monde, ou cy faudra justice.”

Nostre graciouse Advocate
ne se tint pas à tant pour mate:
“Beau filz, dist elle, entent à moy.
Ne t'aym je tant et tant t'amoy,
et tant souffri pour toy de peine?
Tu es équité souveraine;
tu es plein, chescun s'i acorde,
de douchour, de miséricorde.
Beau filz, le di premièrement,

1245

1250

1255

1260

1265

1270

1275

1280

1285

to him, nor to those in his train
for the Law itself ejects them.”

When the Devil heard this said,
he swelled up so much with pain and anger
that he almost burst,
for the answer harmed his cause.
He said to the Judge, in bad faith:
“Listen to me, father of justice,
don't be so against me;
do what good judges are supposed to do,
who in this case, as in every situation,
want to use their power
and follow law and justice.
Now, let it be supposed without prejudice
that I am refused and thrown out
along with my complaint,
as this lady is requesting;
You must still pay attention to my words;
I invoke your noble duty,
where there should be no error:
let the offense be punished,
the one I set forth today in my complaint.
Even if it were that I remained silent
and never lodged a complaint,
You should not be silent,
for You are required to give a hearing.
If judges did not give hearings,
crimes would remain unpunished,
and this would not be equity.
To this, of necessity,
as both the great and small well know,
each just judge is held.
Therefore punish humankind
on your own initiative or justice will fail.”

1245

1250

1255

1260

1265

1270

1275

1280

1285

Our gracious Advocate did not consider herself
defeated by this argument:
“Fair Son,” she said, “listen to me.
Don't I love You, and haven't I always,
and haven't I suffered great pain for You?
You are sovereign equity;
everyone agrees You are full
of gentleness and mercy.
Fair Son, first of all I say

de rigour de droit proprement,
 que le Déable ne doit mie
 estrë oï à rien que il die;
 ton office requiert, ce dit,
 mès g'i mètroy tel contredit 1290
 qu'il ne l'aura en nule guise,
 quer il a autre voie emprise.
 Où a il or cest droit trouvé,
 le fel traître réprouvé?
 "Tu scèz, quant aucun ou aucune 1295
 a de bonnes voies plus d'une,
 tendans à ceu qu'il veut ataindre,
 le juge le peut bien contraindre
 à une des voies eslire,
 quer une soule en doit souffire, 1300
 et à celle se doit tenir;
 sus autres ne peut revenir
 ne retourner méesmement,
 puis qu'elle est dite en jugement.
 Einsi est il, ce n'est pas doute: 1305
 ce sceit la compaignie toute.
 Combien que le Déable eüst
 plusors voies, si li pleüst
 l'une petite, l'autre grande,
 pour ataindre ce qu'il demande, 1310
 que pas à confesser ne pense,
 quer g'i meïsse grant deffense.
 Il se parfist si très apert,
 si com par le procèz apert,
 qu'il se fist contre moy partie 1315
 et commencha sa plèderie,
 fondé par procuratiön,
 pour venir à s'entenciön.
 Or voit qu'il ne se peut secourre:
 si veut à l'autre voie courre 1320
 et vient ton office requerre.
 Jà n'avendra en nulle terre,
 quer einsi auroit il .II. voies.
 Beau fils, y faut que tu y voies,
 ou je seroie décheüe. 1325
 C'est chosë einsi coigneüe:
 je di que de droit ne peut prendre
 autre voie pour moy reprendre.

that according to a strict construction of the Law
 nothing that the Devil says
 should even be listened to;
 he says, 'Your own initiative.'
 But I would bring up the counter-argument 1290
 that he should not obtain this request
 in any way, for he has taken a different tack.
 Where did he find this law,
 the evil, treacherous reprobate?
 "You know that when any plaintiff 1295
 has multiple good ways of proceeding
 towards what he wants to attain
 the judge can oblige him
 to choose only one of these ways,
 for a single one should be enough 1300
 and he should keep to this one;
 he cannot have recourse to the others,
 nor even go back,
 once the first is cited in court.
 So it is; there is no doubt;
 the whole company know this. 1305
 Although the Devil might have had,
 if he had wished, various different ways,
 one great, another small,
 to obtain what he was asking for, 1310
 he should not even think of confessing [and avoiding]
 for I would raise a great objection against it.
 He committed himself openly,
 as the suit shows,
 by becoming a party against me, 1315
 and began his pleading
 based on a letter of appointment,
 to set forth his contention.
 Now he sees that he can do himself no good;
 and he wants to go back and use another way, 1320
 and asks You to act on Your own initiative.
 This will not happen anywhere;
 for thus he would be using two methods.
 Fair sön, You must see this, 1325
 or I shall be undone.
 It is a well-known legal tenet:
 I say that by law he cannot choose
 some different way to oppose me.

"Ne fist il sa péticion
 de ravoir restitution? 1330
 Mès il i fut tout hautement
 refusé, par droit jugement,
 qui vit les droiz et qui les lut,
 puis que certeine voie eslut,
 que l'autre puisse recouvrer, 1335
 l'en ne peut pas ainsi ouvrir;
 quer, se celle voie failloit
 et à la tierce rassailloit,
 ainsi raroit il quarte et quinte;
 n'en parole nul, ne ne tinte; 1340
 ce seroit cercle droitement,
 que droit répreuve malement;
 touzjors pourroit ainsi tourner,
 semondre huy, demain ajourner,
 puis fère une péticion; 1345
 jamès à fin ne serion,
 et ainsi par son fel langage
 mètroit il sus aus droiz la rage.
 Mès ceu ne doit l'en mie dire:
 ceste response doit souffire. 1350
 "Si di plus, beau filz, or escoute:
 l'en doit mètre sa cure toute
 à confondre son adversaire.
 Qui peut avoir voie ordinaire,
 à l'extraordinaire, sans faille, 1355
 ne doit tourner, comment qu'il aille:
 ainsi est il, ne plus, ne meins.
 Or soit donc son propos remeins,
 quer il a, c'est chose sceüe,
 la voie ordinaire esleüe, 1360
 dont il est si bien cheü,
 beau filz, comme tu as veü.
 "Plus y a: beau filz gracious,
 tu scèz que cel malicïous
 Sathenas, le fel homicide, 1365
 de restitution l'aïde
 requise, tout de prime venue,
 qui extraordinaire est tenue.
 Mès trop poy luy valut son dit,
 quer il fut par droit escondit 1370
 et par just interlocutore,

Did he not present a request
 to be restored to possession? 1330
 But he was refused very clearly
 by Law and a correct judgment
 which consulted and read the Laws;
 since he had made a certain choice of one method
 he could not have recourse to the other. 1335
 You cannot work that way,
 for if this method failed to work,
 and he tried again with a third,
 so he would attempt a fourth and a fifth;
 no one says a word about permitting this; 1340
 it would certainly be arguing in a circle,
 which the Law strictly forbids.
 He could go round in circles this way,
 summoning today, setting the court date tomorrow,
 then making a petition. 1345
 We would never reach the end of it,
 and thus by his perfidious language
 he would have spite triumph over Law;
 but no more should be said.
 This response should suffice. 1350
 "But I say more. Fair Son, now listen:
 we should put all our care
 into defeating our adversary.
 A person who has an ordinary remedy
 should not on any account have recourse 1355
 to an extraordinary remedy;
 this is how it is, no more, no less.
 So now let his request be refused,
 for it is obvious that he has chosen
 the ordinary remedy, 1360
 in which he has failed badly,
 fair Son, as you have seen.
 "There is more: fair gracious Son,
 You know that this malicious person,
 Satan, the treacherous homicide, 1365
 requested at the beginning
 restitution, which is considered
 an extraordinary remedy.
 But his request availed him little,
 for it was not permitted by the Law 1370
 and a correct interlocutory judgment,

dont courchié fut, et est encore,
 nē onques Sathan pour cela
 de la sentence n'apela,
 dont est elle, comment qu'il chie,
 trespassée en chose jugie.
 Bien voiez que je ne di que voir!
 Donc ne le dois tu recevoir
 à ceste derrenière voie;
 trébuche ley, si l'en envoie,
 quer nul ne se doit esjoir
 de sa desloiauté oïr."

Chescun sceit que de sa nature
 est fame frelle créature
 et que de légier creint et doute:
 ainsi fut il, ce n'est pas doute.
 La Virge creignoit le damage
 et le mal de l'Umain Lignage;
 si très grant pitié en avoit
 qu'à poy que parler ne savoit.
 Quant Sathenas vit demourer,
 d'angouisse se prist à plourer:
 quer c'est toute la contenance
 de fame, quant elle a doutance
 de perdre ceu qu'el doit garder.
 Lors la peüst l'en regarder,
 aussi simple comme une teutre,
 et ensemble ses mains déteutre,
 trembler, frémir et sanglouter,
 eschauffer, suer, dégouter!
 Elle estoit si lasse et si vaine
 que sus lie n'avoit nerf ne vaine
 à quoy l'en ne s'apercheüst
 que grant angoisse au cuer eüst.

Qui veüst la Virge hennourée
 si courchie et si emplourée,
 nulluy, de si dur cuer ne fust,
 et fust plus dur ne fer ne fust,
 qui jamès pour rien se tenist
 que plourer ne le convenist.
 Lors la veüst l'en souspirer
 et puis sa robe dessirer
 tout contre val vers les mamèles
 que tant avoit tendres et beles;

1375

1380

1385

1390

1395

1400

1405

1410

which angered him and still does;
 but nevertheless Satan did not
 appeal against this decision
 so that it is, whatever happens,
 now *res judicata*.

You are aware that I am telling the truth.
 Therefore You need not permit him
 to try this latest remedy;
 I have tripped him up, and I dismiss him,
 and no one should be pleased
 to hear about his dishonesty."

Everyone knows that by her nature
 woman is a frail creature
 and that she is easily frightened and made afraid;
 so it was, there is no doubt.

The Virgin feared the loss
 and the damage of the Human Race.

She was so concerned for them
 that she could scarcely speak.
 When she saw Satan standing firm
 she began weeping with anguish;
 for it is the very nature of woman
 when she is afraid

of losing what she should protect.
 Then you could have looked at her,
 as simple as a turtledove,
 wringing her hands, trembling,
 shuddering and sobbing,
 becoming heated, breaking out in drops of perspiration!

She was so weary and helpless
 that you could see
 in her every vein and nerve
 that she suffered great anguish of heart.

Whoever had seen the honored Virgin
 so upset and in tears,
 could not have had so hard a heart,
 even if it were harder than iron or wood,
 that they would not have been able
 to prevent themselves from weeping.
 Then she was seen to sigh
 and rend her dress
 down as far as her breasts
 which were soft and beautiful;

1375

1380

1385

1390

1395

1400

1405

1410

et puis remonstroit sa poytrine
à son filz, la douce roïne,
et devant li tout à genous
se mètoit pour l'amour de nous;
puis se restendoit toute plate.
Onques n'advocat n'advocate
sa cause si ne deffendi,
quant devant son filz s'estendi;
ce fut à plours, en souspirant,
et en sa robe dessirant;
et disoit en ceste manière
de très douz vis, à simple chière:
"Beau filz, ne croy [pas] cel Déable
qui me hêt, il est bien véable.
Tu le dois par rëson haïr!
N'est ce cil qui te fist trahir
et qui aus Juyes t'enlacha?
C'est cil qui en ton vis cracha
et qui te lia à l'estache;
il te fist fère mainte trache
de grans plaies par my le cors.
Tu en dois bien estre recors;
mout te fist lèdir et reprendre
et puis te fist en la croiz pendre.
Tant laboura il et chevi,
entre .II. larrons je te vi:
je te vi pendre en la balance
et te vi férir de la lance,
et te vi d'eisil abrevrer.
Nul ne m'an pavoit dessavrer.
Je demourey, que touz le virent,
quant les apostres s'enfuïrent.
Et nature le m'aprenoit
si que prëz du cuer me tenoit:
à nul ne devoit tant tenir.
Comment pourroit ceu avenir
que cil qui tant te fist pener
et qui te fist si mal mener,
et maintenant par son malice
vient requerre ton noble office,
en nulle manière l'eüst?
Ne quel gracë avoir deüst?
Ne t'occist il de mort amère?

1415

1420

1425

1430

1435

1440

1445

1450

1455

then she showed her bosom
to her Son, the sweet queen,
and got down on her knees
before Him for our sake
and then lay down quite flat.
No male or female advocate
ever pleaded a cause in this way,
for she prostrated herself before her Son;
she was in tears, and sighing,
and tearing her dress,
and she spoke in this way
with a very gentle face, a humble expression:
"Fair son, do not believe this devil,
who hates me, it is obvious.
You have every reason to hate him!
Is this not the one who caused You to be betrayed,
and who handed You over to the Jews?
He is the one who spat in Your face
and who lashed You to the stake;
he had many gashes made
as great wounds in Your body.
You should remember this well;
he had You insulted and accused
and then he had You hung on the cross.
Thus he labored and succeeded
so that I saw You between two thieves;
I saw You hang in the balance,
I saw You pierced with a lance,
and saw You given vinegar to drink.
No one could make me leave You;
I stayed, as everyone saw,
when the apostles ran away,
and Nature taught me this
so that it was near to my heart;
No one should have to suffer so.
How could it happen
that the person who made You bear such pain
and had You so badly treated
and who now in his wickedness
is appealing to Your noble power
should have what he wants?
What grace is he entitled to?
Did he not kill You with a cruel death?

1415

1420

1425

1430

1435

1440

1445

1450

1455

Ha, beau douz filz, je suy ta mère,
 qui te portey .IX. mois entiers:
 tu me dois oïr volentiers. 1460
 Je t'enfantey mout povrement
 et te nourri mout doucement.
 Ta mère suy, mère m'apèles.
 Beau filz, regarde les mamèles
 de quoy aleitier te souloie, 1465
 et ces mains, dont bien te savois
 souef remuer et berchier.
 Tu me feis le cuer perchier
 quant tu souffris de mort l'angoisse.
 Tout le cuer me ront et défroisse 1470
 toutes les foiz qu'il m'en souvient;
 mèz endurer le me convient."
 Einsi la douce Virge sainte
 fesoit à son filz sa complainte
 com mère qui enfant doctrine, 1475
 en démontrant li sa poytrine;
 et luy raloit amentevant
 souvent ce que j'ay dit devant:
 "Beau filz," dist elle "comme sage,
 tourne vers moy ton douz visage. 1480
 Ne suy jeu ta mère Marie?
 Véz ci Sathan qui me tarie,
 et ton noble office demande.
 Il fist au premier sa demande
 et sa requeste folement; 1485
 or est maintenant en dément,
 quant il voit qu'elle n'est pas fête,
 de jouer d'une autre retrète;
 or vient maintenant par malice
 requerre que de ton office 1490
 soit l'Umain Lignage puni.
 Il est bien mestier qu'aucun i
 sache sa fraude aperchevoir,
 quer onques ne dist bien ne voir.
 Nostre plèdier as entendu: 1495
 je requier que droit soit rendu,
 oï ses rêsons et les moies.
 Se Sathan miex que moy amoies,
 se se[r]oit bien contre nature!
 Je ne te requier que droiture: 1500

Ah, fine, gentle Son, I am Your mother,
 who carried You nine full months;
 You should be willing to listen to me. 1460
 I gave You birth in poverty
 and brought You up very gently.
 I am Your mother, You call me mother.
 Fair Son, look at the breasts
 with which I used to feed You, 1465
 and these hands, with which I knew how
 to handle You and gently rock You.
 My heart was pierced because of You
 when You suffered the agony of death;
 my whole heart breaks and is torn apart 1470
 every time I remember it,
 but I must endure it."
 Thus the sweet holy Virgin
 made her complaint to her Son,
 like a mother teaching her child, 1475
 showing Him her bosom,
 and often reminding Him
 of what I have said before:
 "Fair Son," she said like a wise woman,
 "turn Your sweet face towards me. 1480
 am I not Your mother Mary?
 See here Satan who is tormenting me
 and asking You to exert Your noble power.
 At the beginning he made his complaint
 and his request in folly; 1485
 now he is in a frenzy,
 when he sees his request denied,
 to try another ploy.
 Now he is coming in bad faith
 to ask that, on Your initiative, 1490
 the Human Race be punished.
 There certainly is a need
 for someone here to notice his fraud,
 for he has never spoken goodness nor truth.
 You have heard our arguments; 1495
 I request that a decision be given,
 having heard his arguments and mine,
 if You care more for Satan than for me
 it would be completely against nature!
 I am only asking You for what is right; 1500

oncques à nul tort ne feïs.
 S'au Déable plus obéis
 qu'à ta mère n'à sa partie,
 oste moy du livre de vie!"

Quant Jhésucrist le débonnère

1505

vit à sa mère tel deul fère
 et démener tel contenance,
 et i li souvint de s'effance
 que nourri l'avoit doucement,
 i l'en pesa trop malement;
 et il s'en dut bien aïrer
 quant par deul li vit dessirer
 la robe qu'elle avoit vestue,
 et il vit sa poytrine nue;
 ne cuide nul que li pleüst
 longuement: einsi ne peüst
 sa grant tristresce consentir.

1510

1515

Cuer, ce dit l'en, ne peut mentir,
 quer poy vaut cuer où amour n'a.
 Vers le Déable se tourna,
 si dist: "Sathan, va t'en arrière;
 quer ta requeste et ta proière,
 de mon office, qu'as requise,
 te refus jeu en toute guise,
 quer par cause t'en escondi."

1520

1525

Sathenas rien ne respondi
 à Jheucrist nē à sa mère,
 mēs il se tourna vers le Père
 et devers li Sains Esperis,
 aussi com se tout fust pérís.
 Leur escria tout hautement:
 "Or regardez: beau jugement
 chescun peut bien avoir vëu,
 que sanc et char l'ont si meü
 —non pas la devine science—
 à pronuncier teile sentence.

1530

1535

C'est sa mère qui, par plourer,
 à fèt justice demourer,
 et par crier et par tencier.
 Je le dis bien au commencer,
 ce peut toute la court savoir,
 que doutouse chose est d'avoir
 la mère au juge en son contrère.

1540

I have done no harm to anyone.
 If you listen to the Devil
 rather than Your mother, or her party,
 then take me out of the Book of Life!"

When the indulgent Jesus Christ

1505

saw His mother make such woe
 and put on such a doleful face,
 He remembered His childhood
 when she had brought Him up so gently,
 it weighed on Him heavily;
 and He had to become angry
 when He saw her rend in anguish
 the dress she had put on,
 and He saw her naked bosom;
 let no one think it pleased Him
 very long, in fact He could not
 bear His great sadness;
 the heart, so it is said, cannot lie,
 for a heart where there is no love is worth little.

1510

1515

He turned to the Devil,
 and said, "Satan, get back,
 for I refuse on all points your request
 and your petition you have put forward
 to act on my own initiative,
 for I refuse you for cause."

1520

1525

Satan replied nothing
 to Jesus Christ or to His mother,
 but turned towards the Father
 and the Holy Spirit,
 as if everything were lost.
 He cried aloud to Them:

1530

"Now look: everyone must have seen
 this fine judgment
 for flesh and blood
 rather than divine science
 have moved Him

1535

to pronounce such a judgment.
 It is His mother who, by weeping,
 and by shouting and arguing, has delayed justice.
 The whole court is well aware
 that I said at the beginning,
 it is a fearful thing to have
 the judge's mother as an adversary;

1540

Mès l'en n'en vout rien pour moy fère!
 Or lessiez," dist Sathan, "lessiez. 1545
 J'ai esté .I. petit plessiez,
 quer chescun me pense à grever.
 Mès je me pense à relever
 si bien qu'i de droit ne faudra,
 que response rien n'i vaudra." 1550
 Lors dist à la Virge Marie:
 "Or chà, dame, estez vous garie?
 Aurez vous huy assez plouré?
 Mon droit est par vous demouré:
 mès vous orrez jà tiex nouvelles 1555
 qui ne vous seront guères bèles!
 Plus direy que vous ne voudrez,
 de quoy en la fin vous doudrez!"
 Par sa malice et par sa guile,
 sachà de son sein l'Evangile, 1560
 et commencha tout haut à lire
 là où Jhésucrist souloit dire:
 "Le prince du monde est venu."
 "Se ceu," dist il, "n'est maintenu,
 dont l'Evangile fèt tel conte, 1565
 je di que ce sera grant honte.
 Père saint," dist il, "il te touche,
 quer tu le deïs de ta bouche,
 dont il ne doit iessir que voir.
 Se tu fèz donc bien ton devoir, 1570
 je suy de tout le monde prince,
 non pas, sans plus, d'une province,
 [mès] de par tout, tant comme il dure,
 quer de moy parle l'Escripture.
 Se tu es droit prince et loial, 1575
 je doy estre prince roial,
 de fèt, ou je tien à frivole
 l'Evangile, qui en parole:
 l'en ne doit pas tenir à vaynes
 ces paroles, mès à certaynes, 1580
 et ce doit estre chose ferme
 tout quanque l'Evangile afferme!
 et c'est le sens, je n'en dout mie,
 que les bons sont de ta partie
 et les mauvèz sont de la moie, 1585
 quer y n'i a nulle autre voie.

but no one wanted to do anything for me.
 Now let it go," said Satan, "let it go. 1545
 I have been a little cast down
 for everyone is trying to defeat me;
 but I think I can raise myself up,
 so that the law will not fail,
 and no answer will be of any avail." 1550
 Then he said to the Virgin Mary:
 "Up now, Lady, are you better?
 Will you have wept enough today?
 My cause has been denied because of you;
 but you will soon hear news 1555
 which will not be welcome to you!
 I will say more than you would like,
 which will make you suffer in the end."
 In his evil and his fraud
 he took the Gospel from his breast, 1560
 and began to read aloud
 where Jesus Christ used to say:
 "The prince of [this] world has come."
 "If," he said, "what the Gospel says
 is not upheld, 1565
 I say it will be a great shame.
 Holy Father," he said, "this concerns You,
 for You said this Yourself,
 from whose mouth should come nothing but truth.
 If then You do Your duty, 1570
 I am the prince of all the world,
 not of just a province,
 [but] of the whole thing, as long as it lasts,
 for the Scripture is speaking of me.
 If You are a righteous and fair prince, 1575
 I should be a royal prince in fact,
 or I hold the Gospel frivolous
 which speaks about it.
 These words should not be deemed vain
 but certain 1580
 and everything the Gospel says
 should be taken as firm.
 And the meaning is, I have no doubt,
 that the good are in Your care
 and the evil are my share, 1585
 for there is no other explanation.

Souvent avient entre nous deuz
chose dont nous avon touz deuz,
et tu scèz bien que droit s'acorde
que, quant y peut mouveir discorde
ou riote entre .II. parties
pour aucunes parchonneries
de preuchaine communauté,
tout bon juge, par loiauté,
se doit sus cel point aviser
pour la riote deviser,
et soit la chose si partie
que chescun ait loial partie.

"Entre nous, .II., s'il t'en souvient,
souvent rioter nous convient,
quer nos choses sont trop ensemble.
Tu fèz mout souvent, ce me semble
tel chose à teuë qui est moie,
et je retreuve une autre voie;
quer je redi par aventure
qu'elle est moië de sa nature,
et elle est teuë dreitement.
Je hey trop tel estrivement,
quer nestre en peut maint grant contens.
Puis que, toy et moy, avon tens,
je te direy que nous feron
(et tousjors mès en pèz seron,
si ne t'en devra pas peser):
nous feron biens et maulz peser;
les mauvèz seront miens touz quites,
et les bons, atout lour mérites,
seront touz tiens; rien n'i demande.
Ta part ne sera pas mout grande;
se je suy des mauvèz seignour,
j'aurey la partië greignour;
quer ton règne, qui droit fera,
u regart du mien ne sera
pas greignour quë .I. grein de mil,
quer .I. n'en auras pas de mil!
Et pour ce que je hey trop noise,
je te requier, comment qu'il voise,
que l'en face la chose clère."
Jhésucrist regarda sa mère
et luy dist débonnèment:

1590

1595

1600

1605

1610

1615

1620

1625

There often is between us
something which we share,
and You are aware that the Law agrees
that when there appears a dispute
or an argument between two parties
over some undivided property
held in common,
then every good judge, in honesty,
should take counsel on this point
to end the argument
and cause the property to be apportioned
so that each has his proper share.

"The two of us, if You remember,
often argue,
for our property is very much intermingled.
It seems to me that very often,
You claim as Yours some thing of mine,
and I find some other way to get it;
for I may perhaps say
that it is mine by its nature,
and it is Yours by law.
I very much hate such arguing
for many a great suit can originate in it;
since you and I have a disagreement,
I'll tell You what we will do,
and we will always be at peace afterwards;
and it should not be painful to You.
We will have the good and evil weighed;
the evil will be mine, free and clear,
and the good, with all their merits,
will be Yours entirely; I don't ask for any of them.
Your share will not be very big;
if I am the lord of the evil ones,
I shall have the greater share;
for if justice is done, Your realm,
compared with mine, will be
no greater than a grain of millet,
for You will not get one in a thousand.
And because I abhor a fuss,
I ask You, whatever happens,
that the matter be made clear."
Jesus Christ looked at His mother,
and said to her kindly:

1590

1595

1600

1605

1610

1615

1620

1625

"Dame," il parle courtoisement; 1630
 "y semble que rëson requière;
 y convient fère sa proière,
 s'il n'est aucun qui là débäte.
 Puis que vöus estes Advocate
 au jour d'uy pour l'Umain Lignage, 1635
 donnez bonne response et sage,
 si que vöus n'en aïez diffame."
 "Ha, beau douz filz," dist Nostre Dame,
 "ne soiez pas si esmeü!
 Il a ceu qu'il requiert eü. 1640
 quer chescun sceit, et tu le scëz,
 que biens et maulz sont jà pesez;
 et pour ceu respon jeu et di
 qu'au saint jour du saint vendredi
 fut pesé ton cors proprement! 1645
 Tel jour comme ier fut droitement,
 et tout à sa péticion
 souffris tu mort et passion:
 quer par luy les Juyes te pristrent
 qui en la balance te mistrent; 1650
 par luy fus tu trahi et pris.
 Tu, qui es vérité et pris,
 et la bonté de tout le mont,
 je te vi lever contremont
 en la croiz comme en une poise. 1655
 Ce fut par luy, mës or l'en poise;
 et le larron plein de péchiez
 refut de l'autre part drèchiez,
 aussi comme en une balance;
 des mauvèz portoit la semblance, 1660
 qui au monde en péchié demourent,
 qui ne te servent ne hennourent.
 Tu fus mis en la droite poise,
 où l'en voit bien lequel plus poise,
 et tant y pesas et pendis 1665
 que si qu'en enfer descendis
 et d'illec les chëtis jetas,
 que de ton saint sanc rachetas.
 Tant pesas et contrepesas
 que les en treisis; or les as. 1670
 Sathan y fut, je n'en dout mie,
 qui en atendoit sa partie,

"Lady, he speaks politely, 1630
 and seems to be making a reasonable request;
 I shall have to grant it,
 unless someone challenges it.
 Since you are the advocate
 today for the Human Race, 1635
 give a good and wise response
 so that you are not disgraced."
 "Ah! Fair gentle Son," said Our Lady,
 "do not be so persuaded.
 He has had what he requested; 1640
 for everyone knows, and You do too,
 that good and evil are already weighed
 and for this reason I reply, saying
 that on Good Friday
 Your body was properly weighed! 1645
 It was a day like yesterday,
 and in answer to his petition
 You suffered death and passion;
 for through him the Jews arrested You,
 who placed You in the peril; 1650
 it was through him that You were betrayed and taken,
 You, who are truth and worth,
 and the goodness of the whole world,
 I saw You raised up on high
 on the cross, as on a scale. 1655
 It was because of him, but now he regrets it,
 and the sinful thief
 was raised on the other side
 as if to balance the scale;
 he had the appearance of evil men, 1660
 those who remain in sin in the world,
 and who neither serve You nor honor You;
 You were put in the true balance,
 where one can see which side weighs more,
 and You weighed and forced down that side so much 1665
 that you went down as far as Hell
 and cast forth from there the prisoners
 whom You had redeemed with Your holy blood.
 You so outweighed that other side
 that You brought them out; now they are Yours. 1670
 Satan was there, I have no doubt,
 waiting for his share of them,

quer encor n'avoit cognoissance
 de ton bien, ne de ta puissance,
 et je prèz de la croiz estoie,
 où toute courchie m'estoie;
 en mon cuer te pesoy dedens
 plus que de lèvres ne de dens.
 Tu fus pesé en sa présence
 et il consenti la sentence,
 quer onques n'en fut apelé.
 Donc ne peut il estre celé
 que la besoigne est tant alée
 qu'en chose jugie est passée;
 si n'y a plus nul recouvrer.
 Or veut maintenant cel ouvrier
 que l'en poist bien et mal arrière;
 je n'ay pas appris tel manière!
 Tout autressi font, ce me semble,
 ces enfans qui jouent ensemble:
 quant aucun pert au commencer,
 il se prent tantost à tencier
 et dit: 'Or rejouon encore.'
 Ce ne voil je pas, quant à ore
 quer ce n[e m']est pas agréable."
 Lors se tourna vers le Déable
 et si li dist par très grant ire:
 "Avant, mauvès, veulz tu rien dire?
 Ne scèz tu respondre ci mot?
 Toute la Trinité, qui m'ot,
 soit que mon filz, don't j'ay conté,
 qui est du monde la bonté,
 fut par toy pesé et trahi."
 Le Sathan fut si esbahi
 de la responce qu'el donna
 que de pièche mot ne sonna;
 et, quant pièche s'en fut tenu,
 il dist: "Or est le temps venue
 que merveilleuses choses die
 par devant ceste compaignie.
 Or y responne qui pourra;
 quer tel en rit qui en plourra!
 "Je di que tout homme sera
 dampné, qui bien et droit fera
 sauf remède, par .III. rêsons,
 1675
 1680
 1685
 1690
 1695
 1700
 1705
 1710
 1715

for he had still no knowledge
 of Your goodness and power,
 and I was near the cross,
 where I was totally afflicted;
 I weighed You inside my heart,
 more than with my lips and teeth.
 You were weighed in his presence
 and he agreed to the verdict,
 for he never appealed it.
 'Thus it cannot be concealed
 that the business has progressed to the point
 where it is over and *res judicata*;
 he cannot go back and change it now.
 Now this fellow is trying to work it out
 so that good and evil are weighed again;
 this is not the procedure I learned.
 'This is just how children act,
 I think, when they play together;
 when one loses at the beginning,
 he immediately starts to complain
 and says: 'Let's play it over.'
 As for the present situation, I don't want to do that,
 for it is not acceptable to me."
 'Then she turned to the Devil
 and said to him very angrily:
 "Come forward, evil one, do you want to speak?
 Can you answer me a word to this?
 'The whole Trinity, which heard me,
 knows that my Son, whom I have told of,
 Who is the goodness of the world,
 was weighed and betrayed by you."
 Satan was so abashed
 at the answer she gave,
 that for a while he said not a word,
 and when he had been silent for a while,
 he said: "Now the time has come
 for me to say wondrous things
 before this company.
 Now let him who can, give an answer;
 for he who laughs now will later weep.
 "I say that all men will be damned
 if the Law and the right thing are done,
 and without remedy, for three reasons,
 1675
 1680
 1685
 1690
 1695
 1700
 1705
 1710
 1715

ne sauf ne sera jamès hons;
 c'est tout cler, y n'i a rien trouble.
 Tout homme par justice double
 iert dampné pardurablement;
 c'est essample et commandement. 1720
 Par essample doit tout homme estre
 dampné, et tourné à senestre:
 se par orgueil condempnez sommes,
 pour quoy ne seront donc les hommes
 condempnez par juste sentence 1725
 pour péchié d'inobédience?
 Dieu ne juge pas par cointance,
 ce sceit bien chescun sans doutance;
 ce seroit faute de justice,
 qui est en juge trop grant vice; 1730
 de ceu nous pourrion nous pleindre.
 L'Umain Lignage doit remaindre
 avec nous, et mourir et vivre,
 ou nous devon estre délivre.
 Il péchièrent com nous feïsmes, 1735
 pour quoy u feu d'enfer chaïsmes,
 et, se ceulz s'en aloit quites,
 selon les choses que j'ay dites,
 faveur bestourneroit justice:
 Dieu n'est pas si fol ne si nice! 1740
 Cest essample doit bien souffire:
 damnez seront; je l'os bien dire.
 "Je di plus: or y preigne garde
 celle fame, qui me regarde.
 Qui fèt contre commandement, 1745
 il pèche trop plus malement
 que celuy, c'est chose sceüe,
 qui n'a nulle deffense eüe.
 Sire, tu commandas à homme
 quë il ne manjast de la pomme;
 et fut la condicïon mise, 1750
 s'il en menjoit en nulle guise,
 qu'il mourroit de la mort de l'ame.
 Que peut donc dire celle dame?
 Se nous, sans nul commandement, 1755
 sommes touz mis à dampnement,
 par plus forte rëson sera
 homme dampné, qui droit fera;

and no man will be safe;
 it's quite clear, nothing obscure about it.
 Every man will, by double justice,
 be damned for ever;
 this is an example and a command. 1720
 As an example, every man should be damned
 and turned over to the side of the condemned;
 if *we* are condemned because of pride,
 why then shall men not be condemned,
 in a just sentence, 1725
 for the sin of disobedience?
 God does not judge by favoring one side,
 everyone knows that beyond a doubt;
 it would be a failure of justice,
 which is a very great defect in a judge; 1730
 we could very well complain about that.
 The Human Race should remain
 with us, and live and die,
 or we should be set free.
 'They sinned as we did, 1735
 whereby we fell into the fires of Hell;
 and, if they were let off scot-free,
 according to the things I have said,
 favoritism would reverse justice;
 God is not so crazy or stupid. 1740
 This example should be enough;
 they will be damned, I dare say so.
 "I say further: now let this woman beware
 who is staring at me.
 Whoever acts against orders 1745
 sins much more grievously,
 as is well known, than the person
 who has had no prohibition.
 Sire, You commanded man
 not to eat of the apple, 1750
 and the condition was laid down
 that if he ate of it at all,
 he would suffer the death of the soul.
 What can this woman say, then?
 If we, without any prohibition, 1755
 are all condemned to damnation,
 then man, with even more reason,
 will be damned, if justice is to be done;

quer, par sa grande male honte,
 de commandement ne fist conte, 1760
 mès l'enfreinst par présumpcion.
 Se ceulz sont à dampnation
 qui sans commandement péchièrent,
 ceulz qui de la pomme mengièrent 1765
 le doivent myex estre d'assez,
 qui commandemens ont passez.
 Or responne celle advocate,
 ancièz que plus avant m'enbate
 pour mes grans rèsons desploier. 1770
 Fey luy recognoistre ou noier
 et respondre, s'el sceit rien dire!"
 La douce Virge par grant ire
 li dist: "Maleüroux chétis,
 tes argumens sont trop petis!
 "Or entent, Sathenas Déable: 1775
 en ceu, que tu tiens pour semblable,
 a trop poy de similitude;
 qui ne l'aperchoit est trop rude.
 Tu argues ainsi en somme:
 se nous péchames, si fist homme; 1780
 par nostre péchié dampnéz sommes;
 aussi doivent estre touz hommes.
 Mauvèz, je te di que tu mens.
 Tu fèz trop fièbles argumens;
 poy sceit qui bien n'y respondroit. 1785
 Y semble que c'est à bon droit
 qu'entre vous, mauvèz esperis,
 estes sans remède périss.
 Entent, mauvèse créature:
 ce fut contre vostre nature, 1790
 quant du péchié d'orguil péchastes,
 par quoy en enfer trébuchastes;
 à bon droit y fustes jeté:
 rien n'aviez d'enfermeté,
 qui fère péchier vous deüst, 1795
 ne qui à ceu vous esmeüst;
 quer Dieu vous avoit si criéz
 qu'en vous nul défaut n'aviez,
 mès estiez, sans vous douloir,
 o Dieu tout à vostre vouloir, 1800
 mès de mauvestié pourpensée,

for, to his great shame,
 he took no account of his commandment 1760
 but presumptuously broke it.
 If those are to be damned
 who sinned without prohibition,
 then those who ate the apple, 1765
 those who broke the commandment,
 should be damned all the more.
 Now let this woman advocate answer
 before I press on
 in setting forth my principal arguments. 1770
 Have her admit or deny
 and answer, if she can say anything at all."
 Very angrily, the gentle Virgin
 said to him: "Unfortunate and miserable one,
 your arguments are insignificant.
 "Now listen, devil Satan; 1775
 what you take to be similar
 has very little similarity;
 anyone who does not see this is most ignorant.
 You argue this way, in brief:
 if we sinned, so did all men; 1780
 we were damned by our sins;
 therefore all men should be.
 Evil one, I tell you, you lie;
 you make very feeble arguments;
 anyone not able to answer them would know very little. 1785
 It seems that it was in justice
 that you evil spirits
 have irremediably perished.
 Listen, evil creature:
 it was against your nature 1790
 when you sinned through pride
 so that you tumbled down into Hell;
 you were thrown there rightfully.
 You had no weakness
 which should have led you to sin 1795
 or moved you to do so.
 For God had so created you
 that you had no defect,
 but you were, without sorrow,
 with God, where you had all you could want; 1800
 but with deliberate malice

qui à tous vous vint en pensée
 par grant envie et par ardeur
 contre vostre propre nature,
 envers dieu vous enorgueillistes, 1805
 pour quoy u feu d'enfer chaïstes.
 Tel nature n'avoit pas homme.
 Adam, s'il menja de la pomme
 et s'il fut inobédient,
 tu scèz bien, à mon escient, 1810
 que de frelle nature estoit,
 qui à cela l'amonnestoit.
 Cors avoit pesant, fèt de terre,
 qui touzjors à l'ame fèt guerre;
 et pour cē Adam tant tendi 1815
 le fruyt que Dieu li deffendi,
 quant Sathan li enseigna morst;
 quer sa nature l'i amorst.
 Et pour ceu est il bien voiable
 que ce n'est mie bon semblable 1820
 d'omme et de Sathan, ce me semble:
 lour nature poy se ressemble.
 Fragilité homme blēcha;
 mēs, quant le Déable pécha,
 ce fut de sa mauvestié pure, 1825
 en venant contre sa nature.
 Donc ne vuil jeu, comment qu'il aille,
 que ceste rēson rien li vaille:
 quer nul droit à ceu ne s'acorde.
 L'autre rēson est fausse et orde. 1830
 Sathan, qui de mentir ne lasse,
 dit que qui commandement passe,
 c'est cil qui pèche plus griēment;
 à ceu li respon jeu briēment.
 "Onques Dieu rien ne commanda 1835
 au Déable, ne ne manda;
 pour quoy? Quer mestier n'en avoit:
 sans commandement bien savoit
 qu'il devoit lessier et quoy fère,
 et ceu qui luy estoit contrère; 1840
 de sa nature, c'est sans doute,
 coïgnissoit il science toute;
 il iert de tel perfection
 qu'il avoit la cognicion

which you all thought of,
 in great envy and desire
 against your own nature,
 you proudly opposed God, 1805
 so that you fell into the fires of Hell.
 Man had no such nature;
 if Adam ate the apple,
 and if he was disobedient,
 you know very well, I think, 1810
 that it was his frail nature
 which led him to it.
 He had a heavy body, made of clay,
 which continually warred with his soul.
 And for this reason Adam was tempted toward 1815
 the fruit which God forbade him,
 when Satan taught that he should bite it
 for his nature led him to do so.
 And for this reason it is quite evident
 that there is not at all a good comparison 1820
 between Man and Satan, I think;
 their natures are scarcely comparable.
 Man was wounded by fragility;
 but, when the Devil sinned,
 it was out of his pure evil, 1825
 acting against his nature.
 Therefore, whatever happens,
 I do not want this argument to avail him;
 for there is no Law in agreement with this.
 "The other argument is false and stinking. 1830
 Satan, who is never tired of lying,
 says that the more grievous sinner
 is the one who disobeys a commandment;
 I will reply to him briefly concerning this.
 God never commanded anything to the Devil, 1835
 nor gave him any orders;
 why should He? For there was no need,
 he knew without commandments
 what he should do and not do,
 and what was bad for him. 1840
 There is no doubt that by his nature
 he knew all things knowable;
 he was of such perfection
 that he had the knowledge

de bien et de mal par nature, 1845
 tant estoit noble créature;
 de tout avoit certeineté
 sans rien sentir d'enfermeté,
 et, pour ce que je ci devise, 1850
 pêcha il plus en toute guise,
 en venant contre tel science,
 qu'Adam par inobédience.
 Homme ne pavoit, quant à voir,
 si grant certeineté avoir,
 quer cors humain, de sa coustume, 1855
 donne à l'ame tel pesantume
 que pas ne sceit apercevoir
 de soy méesmes tout le voir.
 Adam en estoit entéchié
 dès ancièz qu'il eüst péchié: 1860
 ce sceit qui entendement a.
 Quant le Sathan Eve tenta,
 du péchié de transgression
 pour li[e] mètre à dampnatiōn,
 elle dist, com toute esbahie: 1865
 'Halas, ce ne feron nous mie;
 nous mourrion par aventure!
 Bien pareit que de sa nature
 n'avoit pas tel sutillité 1870
 qu'elle sceüst certeineté
 de ceu qu'avenir l'en devoit;
 quer le cors l'ame décevoit.
 Mès Sathan doit bien avoir peine,
 qui avoit science certaine
 de mal fuyre et de bien eslire. 1875
 Ceste response doit souffire.
 "Or te tèz, dampné desloial!
 Est la response assez roial?
 Je t'ey, selon m'entencion,
 fête tel satiffaciōn 1880
 que te desplest et te griève
 qu'à poy que le cuer ne te criève.
 Advocat mauvèz, deputaire,
 tès tey donc! Tu te dois bien tère!
 D'arguer pour nient te penas!" 1885
 "Je me térey," dist Sathenas;
 "chescun me court à la gargate.

of good and evil by his very nature, 1845
 so noble a creature was he.
 He had certainty about everything,
 feeling no weakness,
 and according to what I am saying here
 he sinned more in every way 1850
 by going against such knowledge,
 than Adam did through disobedience.
 Truth to tell, man could not
 have such great certainty;
 for the human body, in the ordinary way, 1855
 weighs so upon the soul
 that it cannot perceive
 the whole truth about itself.
 Adam was sullied by his body
 even before he had sinned; 1860
 anyone with any understanding knows this.
 When Satan tempted Eve
 with the sin of transgression,
 to lead her to damnation,
 she said, as if abashed: 1865
 'Alas, we shall not do that;
 we might die, perhaps.'
 It is quite clear that by her nature
 she did not have the subtlety 1870
 to know the certainty
 of what would happen to her because of it;
 for her body deceived her soul.
 But Satan should suffer punishment,
 who had certain knowledge
 of avoiding evil and choosing good. 1875
 This answer should be enough.
 "Now you are silent, damned and disloyal one!
 Is the answer fair enough?
 In my opinion, I have given you
 such satisfaction that 1880
 it displeases you and hurts you,
 that it's a wonder your heart does not burst.
 Evil, lowborn advocate,
 be silent, then; so you should.
 You argued to no avail." 1885
 "I shall be silent," said Satan;
 "Everyone tries to go for my throat,

Mès entent, o tu, Advocate,
 et si euvre bien tes oreilles,
 quer je te direyjà merveilles;
 y n'i ara plus nul respit." 1890
 La Virge luy dist par despit:
 "Comment? Que ne requiers tu ore
 à oïr interlocutoire?
 Orrible mauvès enfumé, 1895
 tu y es bien accustomé;
 traïstre, desloial, testu,
 encor la demandasses tu
 se tu cuidasses droit avoir!"
 "Veuz tu," dist Sathenas, "savoir 1900
 pour quoy de cela me refrain?
 C'est pour ce que tu mès le frein
 à Dieu, si que il ne peut mouvoir,
 combien que dies faus ou voir.
 Mès entent, tourne toy de chà: 1905
 je te di que homme pécha."
 La benoïete Virge en l'oure
 dist à Jhésucrist, sans demoure:
 "Tès tey! Filz, tourne moy le vis,
 qui juge es de mors et de vis. 1910
 Il pense de moy desconfire,
 mès je scey trop bien qu'il veut dire,
 sans moy partir ne remuer.
 Il veut par clauses argüer
 qui seront, je n'en doute mie 1915
 fausses, pour la greignour partie;
 puis veut, par sa male aventure,
 aussi com de tout voir, conclure.
 Mès tu scèz, à m'entencïon,
 s'aucune proposicïon 1920
 en une part se vérefie,
 s'elle est fausse en l'autre partie,
 pour tant qu'el soit copulative,
 y n'est nul qui de ceu estrive
 qu'el ne doie estre fausse toute, 1925
 et la peut l'en noier sans doute.
 "Avec ceu, di jeu, beau douz sire,
 il ne peut nulle chose dire
 sans faus et sans iniquité;
 quer en la court de vérité 1930

but listen you, oh advocate,
 and open your ears well,
 for I have marvels yet to recount; 1890
 there will be no respite."
 'The Virgin said to him scornfully:
 "What? Are you not asking
 for an interlocutory judgment?
 Horrible, evil, smoke-stinking one, 1895
 you are used to doing that;
 traitor, dishonest, stubborn,
 you would be asking for an interlocutory
 if you thought you were in the right."
 "Do you want to know," asked Satan, 1900
 "why I'm restraining myself?
 It's because you have reined God in,
 so that He cannot make a move,
 however false or true you speak.
 But listen, abandon that ploy; 1905
 I am telling you that man sinned."
 The blessed Virgin right away
 said to Jesus Christ, without delay:
 "Be silent. Son, turn Your face to me,
 You who are the judge of the living and the dead. 1910
 He thinks he can defeat me
 but I know only too well what he is trying to say,
 without leaving or going away.
 He wants to argue by premises
 which will be, I have no doubt, 1915
 false, for the most part.
 'Then in his wicked way, he wants
 to conclude, as if all were true.
 But I think You know
 that any proposition 1920
 in which one term is provably true,
 if it is false in the other term,
 provided it is a copulative,
 (there is no one who contests this)
 the proposition must be entirely false, 1925
 and you can certainly deny its truth.
 I will add to this, fair gentle Sir,
 that he can say nothing
 without falsity and iniquity;
 for in the Court of Truth 1930

a il huy dit menchange mainte,
 si que c'est grant doute et grant crainte
 que il n'esmeuve aucun à croire
 la fausseté pour chose voire,
 quer il ment et jure et escume. 1935
 Jeu, qui n'ay mie de coustume
 de si grans menchonges oïr,
 ne m'en doy pas mout esjoir;
 quer je suy, je le vous créante,
 de son mentir si récréante, 1940
 que ne me scey quel part tourner.
 Je requier, sans plus séjourner,
 qu'il die à trèt chescune clause,
 et par sey, et qu'il face pause,
 et par vérité pointerey 1945
 et respondrey et gloserey."
 Dist le Sathenas: "Véz ci rage!
 L'Advocat à l'Umain Lignage
 veut, par force et maugré mien, estre
 et mon advocat et mon mestre, 1950
 et mon procès veut ordener,
 et me veut, ce semble, mener.
 Estre veut, ce pert, ma nourrice,
 com se je fusse .I. enfant nice
 qui ne sceit lire ne pointier. 1955
 Grant fain a de moy acointier,
 qui afferme que pointera
 tout mon parler et glosera!
 Je requier, tout premièrement,
 que l'en m'oie pèsiblement; 1960
 l'en me doit oïr proposer.
 Aprèz ceu si pourra gloser
 et pointier, et puis répétier
 et ses responses affétier:
 si vérité sceit, si la conte! 1965
 Je li ferey jà deul et honte,
 quer à ses dis répliquerey
 si bien, qu'engaigne li ferey.
 Touzjors m'assaut et me tarie!"
 Adonc dist la Virgin Marie, 1970
 qui ne fut pas petit trublée,
 quer sen ire li fut doublée,
 si en fut .I. petit plus felle:

he has told many a lie today
 so that there is some fear and apprehension
 that he might persuade someone to believe
 falsehood for truth,
 for he lies and swears and foams. 1935
 I, who am not accustomed
 to hear such great lies,
 would not be very happy about it;
 for I am, I guarantee You,
 so exhausted by his lies 1940
 that I don't know which way to turn.
 Without further ado, I request
 that he say each premise through
 and separately, and then pause,
 and in truth I will go point by point, 1945
 and I will answer and make comments."
 Satan said: "Here is madness.
 The Human Race's advocate,
 against my will, wants perforce to be
 my attorney and my adviser, 1950
 and wants to arrange my lawsuit,
 and apparently she wants to lead me on.
 She seems to want to be my nurse,
 as if I were a silly child
 who cannot read or argue the fine points. 1955
 She is eager to instruct me,
 and she avers she will nit-pick and gloss
 my whole pleading.
 I request, first of all,
 to be heard quietly; 1960
 I should be heard to make my argument.
 After this she can gloss
 and remark on it and nit-pick,
 and smarten up her answers;
 if she knows the truth, let her say it. 1965
 I shall soon cause her shame and sorrow,
 for I will rebut what she says
 so well that I will confuse her;
 she's always attacking and provoking me."
 Then said the Virgin Mary, 1970
 who was not a little upset,
 for her anger was redoubled
 and she was more severe about it:

"Beau filz, je ne voil pas," dist elle,
 "qu'il allègue en ton règne faus;
 tu dois corriger les deffaus
 et dois les mauvèz débouter,
 quer nul ne les doit escouter."

1975

Sathan respondi, sans atendre:
 "Se vous ne me voulez entendre
 et oïr ceu que je direy,
 je me tèrey; si m'en irey.
 La justice de cil qui juge
 voit que l'en fèt, s'il est bon juge,
 deffaut de droit: c'est chose clère."

1980

La persone de Dieu le Père
 dist lors, qui bien vit la haïne:
 "O Marie, des cyex rayne,
 il requiert rèsoun et justice:
 lesse luy dire son malice,
 et puis respon à son propos."

1985

"Père saint," dist elle, "trop os
 tel persone et si resprouvée.
 Où sera justice trouvée,
 qui voudra qu'en ton règne die
 ne fausseté ne menterie?
 Je ne puis pas bien consentir
 sa fausseté, ne son mentir,
 dont touzjors le voy aspre et chaut."

1990

Dist Dieu le Père: "Ne te chaut:
 quer de tant greignour joie auras,
 toy et ton filz, quant tu sauras
 à ses dis par rèsoun respondre
 et tu le pourras bien confondre,
 et sien en sera le diffame!"

1995

"Or die donc," dist Nostre Dame,
 "Père saint, quant talent en as!"
 "L'omme pécha," dist Sathenas,
 "de ceu ne me doute jeu point!"

2000

Dist Nostre Dame: "Or face point
 et luy commande qu'il s'arreste,
 et je suy de respondre preste."

2005

Dist Dieu le Père: "Or est outrage!
 Lesse luy dire son courage
 et toute sa rèsoun finer:
 tu ne peus mie deviner!"

2010

2015

"Fair Son, I do not want," she said,
 "him to allege something false in Your kingdom;
 You should correct defects,
 and You should throw out evildoers,
 for no one should listen to them."

1975

Satan replied, without waiting:
 "If You will not listen to me
 and hear what I have to say,
 I will say nothing; and I will go away.
 Observance of proper procedure by the judge,
 if he's a good judge, will recognize
 a denial of justice; it's quite clear."

1980

The Person of God the Father
 then said, seeing the hatred:
 "Oh Mary, Queen of Heaven,
 what he asks is reason and justice;
 let him speak his evil,
 and then answer what he says."

1985

"Holy Father," she said, "You are listening
 too much to such a person, a reprobate.
 Where will justice be found
 which would expect him to speak
 in Your realm no falsity or lies?
 I cannot consent to his falsity
 nor to his lies, which I see him ever
 eager and anxious to tell."

1990

God the Father said: "Do not be concerned;
 you will have greater joy,
 you and your Son, when you can
 reply with reason to his speeches
 and you can confound him
 and the disgrace will be his."

1995

"Now say, then," said Our Lady,
 "Holy Father, what is Your will."
 "Man sinned," said Satan,
 "of this I have no doubt."

2000

Our Lady said: "Now let him make one argument,
 and command him to stop,
 and I am ready to answer."

2005

God the Father said: "This is outrageous!
 Let him say what he wants to say
 and finish his entire argument;
 you cannot guess what he is going to say;

2010

2015

Il n'a dit ne tout, ne demy!"

"Vous dites voir," dist l'Aynemy;
"penser deüst à sa response,
quer, ains que le solleil resconse,
li pense jeu tel chose à dire
que nul talent n'aura de rire,
fors que par rèsou se deffende!
L'arguë einsi, or y entende:

Homme pécha outre mesure
contre toy, qui es par nature
vraie bonté sans finement;
et pour ce di jeu, vraiëment,
que sans fin condempné sera,
qui loiaument le jugera,
quer la coupe n'iert pas punie
se la peine n'est infinie.

Il convoita ta déité;
ce fut trop grant iniquité
et trop grant désobéissance,
qu'i vouloit avoir ta puissance!
Tu es Dieu puissant, sans finer;
donques dois tu déterminer
que celui qui tant s'esdrecha
que contre ta bonté pécha,
celuy qui a rebelle esté
contre ta royal majesté
qui est sans fin certainement,
soit dampné pardurablement
en enfer, en cors et en ame.
Que dira donques celle dame
qui sans fin ne le confondroit?
Autrement, pas ne respondroit,
selon ceu que droit veut, la peine
au forfèt: c'est chose certaine."

La très douce Virge Marie
fut .I. petitet esbahie,
quer celle rèsou la greva.
Son douz viz contremont leva,
si regarda d'uyeul débonnère
son filz, comme elle souloit fère
quant el le nourri en enfance.
Le filz vit à sa contenance
la grant angoisse qu'elle avoit,

2020

2025

2030

2035

2040

2045

2050

2055

he has not said all of it, or even half."

"You say true," said the Enemy;
"she should think about her answer,
for, before the sun has set,
I intend to say such things to her
which will not make her want to laugh
unless she defends herself through argument.
'This is how it goes, let her listen.

"Man sinned beyond measure
against You, who are by nature
true goodness without end,
and for this reason I say truly
that he shall be condemned eternally
if he is fairly judged;
for the fault will not be punished
unless the pain is eternal.
He coveted Your deity;
this was very great iniquity
and very great disobedience
that he wished to have Your power.

You are powerful God, without end;
therefore You should conclude
that the person who so rose up
that he sinned against Your goodness,
the person who has rebelled
against Your royal majesty,
which is certainly eternal,
should be damned forever
to Hell, body and soul.
What will this lady say now?
Who would not confound man forever?
Otherwise the penalty
would not correspond, according to the Law,
to the transgression, that's sure."

The very gentle Virgin Mary
was a little abashed,
for this argument hurt her case.
She lifted up her sweet face;
and she looked with a kind eye
upon her Son, as she used to do
when she raised Him as a child.
'The Son saw on her face
her great anguish,

2020

2025

2030

2035

2040

2045

2050

2055

quer respondre bien n'i savoit. 2060
 Si li clina si sagement
 de l'yeul, que par son clinement
 peu[s]t bien la douce Virge entendre
 la response qu'el devoit rendre.
 Lors se rescia le Déable: 2065
 "Halas! Or est il bien voiable
 que je ne disoie que voir.
 Or peut l'en bien apercevoir
 que ce n'est mie bèle druge
 de recevoir la mère au juge 2070
 à estre advocat contre sey!
 Nulle rëson dire ne scey
 ne proposer si grant merveille
 que le juge ne la conseille.
 Se nous plëdisson per à per, 2075
 elle ne peüst eschaper!"
 L'Advocate, ainsi espirée,
 si s'est devers son filz virée
 et dist: "Lesse Sathan jangler.
 Anciëz le puist l'en estrangler, 2080
 beau très douz filz, que tu feïsses
 chose nulle où tu mespreïsses.
 Droit feras, s'il avoit juré!
 Beau filz, qui es beneüre
 et l'ennouré, de ta nature, 2085
 par dessus toute créature,
 angres et hommes t'obéissent:
 ceulz d'enfer pour ton nom frémissent,
 que pour lour péchié feïs fondre.
 Beau filz, preste suy de respondre: 2090
 huymès ne fis response tèle.
 Sathenas, la beste cruële,
 plein d'envie et d'iniquité,
 si veut que toute humanité
 soit sans fin à dampnation: 2095
 c'est sa droite conclusion.
 Mout a la langue aspre et aguë!
 Il allëgue einsî et arguë:
 "Homme pécha, ch'a il conté,
 encontre toy, qui es bonté 2100
 sans fin et qui seras sans terme;
 et pour ce dit il et afferme

for she really did not know how to answer. 2060
 And he winked at her so knowingly
 with his eye, that by his wink
 the Virgin could well understand
 the answer she should make.
 Then the Devil cried out again: 2065
 "Alas, now it is very apparent
 that I was only speaking the truth.
 Now it can easily be seen
 that it is no joke
 to accept the judge's mother 2070
 as an advocate against oneself.
 I can advance no argument,
 nor suggest any great marvel,
 but the judge gives her advice;
 if we argued one on one 2075
 she would not escape."
 The lady advocate, thus inspired,
 turned toward her Son
 and said: "Let Satan rail.
 It would be easier to strangle him, 2080
 fair, very sweet Son, than for You to do
 anything in which You would be mistaken.
 You will do justice even if he had sworn an oath!
 Fair Son, who are blessed
 and honored by Your very nature 2085
 above all creatures,
 angels and men obey You;
 those from Hell tremble at Your name,
 whom You sent burning for their sins.
 Fair Son, I am ready to answer; 2090
 I have not made such an answer yet today.
 Satan, the cruel animal,
 full of hate and wickedness,
 wants all of humanity
 to be damned for ever; 2095
 that is his plain conclusion.
 He has a very rough and sharp tongue.
 This is what he alleges and argues:
 "Man sinned against You, this is what he said,
 You who are goodness 2100
 without end and without limit;
 and for this reason he says and affirms

que sans fin iert dampné tout homme.
C'est tout son argument, en somme,
quer autrement n'iert jamès fêt
droite justice du mesfêt.

2105

Beau filz, je respondrey en ordre,
si qu'il n'i saura que remordre.
Dieu et homme es, je n'en dout mie,
et si es bonté infenie;
et tu, qui es sans finement,
ton cors fut pendu lèdement
et mis à condempnation:

2110

bien feïs satisfation
de ceu qu'Adam avoit péchié.

2115

Tu, qui es sans fin, fus dréchié
en croiz: je t'i vi estendu;
pour cel péchié y fus pendu;
et pour cela par rèsoun di
que ceste peine respondi
au forfêt qu'Adam par folie
fist contre bonté infenie,
et pour ce fut greignour la peine
que la coupe: c'est chose pleine."

2120

Le Déable mot ne sonna
quant ceste response donna:
le lieu fut tout coy et seris.
Le Père et le Sains Esperis
distrent lors à Sainte Marie:
"Raïne des cyex, ce n'est mie
response qui doie souffire;
autre chose te convient dire.

2125

C'est drois que chescun soit bléchié
du forfêt, selon le péchié:
ne veulz tu pas qu'insi en aille?"

2135

Dist elle: "Oïl, je voil sans faille,
Saint Esperit et tu Saint Père,
que chescun son mesfêt compère;
là ne met jeu nul contredit.

2140

Mès Sathenas arguë e[t] dit:
Pour ce que homme osa mesprendre
contre Dieu, qui est sans fin prendre,
Adam et tout l'Umain Lignage
doit sans fin souffrir le damage.
Je luy respon en ceste guise."

2145

that all men will be damned forever.

This is, in short, his whole argument,
for otherwise proper justice
will never be meted out for the offense.

2105

Fair Son, I will answer in due form
so that he will have nothing to complain about.
You are God and man, I have no doubt,
and You are infinite goodness,
and You, who are without end,
Your body was vilely hung
and condemned;

2110

You made full satisfaction
for the sin of Adam.

2115

You, who are without end, were placed
upon the cross; I saw You stretched out there;
You were hung there for this sin.

And for this reason I am right to say
that this suffering countered
the offense which Adam in his folly
committed against infinite goodness,
and for this reason the punishment was greater
than the fault; it's obvious."

2120

The Devil said not a word
when she gave this answer;
the place was all quiet and hushed.
The Father and the Holy Spirit
then said to Holy Mary:

2125

"Queen of Heaven, this answer
will not suffice;
you will have to add something else.
It's right that everyone should suffer
his own punishment, according to the sin."
Do you not wish that it were so?"

2130

She said: "Yes, I want—without exception—
Holy Spirit and Holy Father,
that each one expiate his sin,
I don't contradict that at all.

2135

But Satan is arguing that
because man dared to sin
against God, who is eternal,
Adam and the whole Human Race
must suffer the loss forever.

2140

I am responding to him in this way."

2145

Le Filz Dieu a donques emprise
 ceste response pour sa mère;
 au Saint Esperit et au Père
 dist lors tout haut: "Donné m'avez
 tout jugement, bien le savez.
 Je suy, de ma propre nature,
 juge sus toute créature;
 j'ey si jugié et jugerey,
 que tort ne fis ne ferey;
 je ne griève ne esperne ame.
 Je di et respon pour ma Dame:
 se la coupe fut infinie
 et nul homme ne puisse mie
 sans fin satisfacion rendre
 pour ceu que fin le convient prendre,
 jeu, qui suy Dieu et homme ensemble
 et sans fin, voil bien, ce me semble,
 fèr'en la satisfacion
 et souffrir mort et passion."

Quant Sathenas ceu entendit,
 au filz Dieu response rendi:
 "Tu es filz Dieu et perdurable,
 et es sans fin touzjors durable,
 et es Dieu et homme sans doute.
 Donques voit bien, qui entent goute,
 que sans fin n'est pas hons blèchié,
 qui fist si horrible péchié
 que droiz est que sans fin l'achate."

Donc respondi nostre Advocate:
 "Adam, dist la Vierge, pécha;
 mès mon douz filz le redrécha.
 Adam pécha, le premier homme,
 et carcha à ses hers la somme
 qu'eulz ont jà soustenu grant pose;
 et je respon ainsi et glose:
 mon filz pour ceu u monde vint
 et pour cela homme devint
 et souffri mort aspre et amère
 pour le péchié du premier père.
 Mauvès Sathenas, ne di jà,
 s'Adam le viel nous obliga,
 qu'à mort soion pour ce livrez;
 par mon filz fumes délivrez,

2150

2155

2160

2165

2170

2175

2180

2185

The Son of God now undertook
 to answer on behalf of His mother;
 to the Holy Spirit and the Father
 He now said aloud: "You have given Me
 all jurisdiction, You know very well.
 I am, by My very nature,
 the judge of all things created;
 I have judged, and I will judge,
 in such a way that I have not done, nor will I do wrong;
 I do not harm or spare a soul.
 I say and answer for My Lady:
 if the fault was infinite,
 and no man can
 give satisfaction
 forever, because he must come to an end,
 I, who am man and God together
 and without end, can very well, I think,
 provide the satisfaction
 and suffer death and passion."

When Satan heard this,
 he gave an answer to the Son of God:
 "You are the Son of God, and eternal,
 and will endure forever without end,
 and you are undoubtedly God and man.
 Then if you understand anything, you see
 that man is not suffering forever,
 he who committed so horrible a sin
 that it is right for him to pay for it forever."

Then our Lady advocate responded:
 "Adam," said the Virgin, "sinned,
 but my sweet Son raised him up again.
 Adam, the first man, sinned
 and weighed down his heirs with the burden
 which they have now borne for a long time,
 and I answer thus, and explain:
 my Son came into the world because of that sin,
 and became a man because of it
 and suffered a harsh and bitter death
 because of the sin of the first father.
 Evil Satan, never say
 that because the old Adam bound us
 that we are given up to death for it;
 we were delivered by my Son,

2150

2155

2160

2165

2170

2175

2180

2185

qui nouvel homme devenir
 en vout; bien t'en peut souvenir! 2190
 Or dis tu einsi et arguës,
 ne de cest point ne te remues:
 homme pécha par sa folie
 encontre bonté infinie.
 Tu ne scèz hoignier autre chose; 2195
 je te respon einsi et glose:
 s'Adam pécha par son outrage,
 si nous fist Dieu tel avantage
 qu'il vout, et veut et détermine,
 selon l'Escripture devine, 2200
 s'aucun péchéour chétif pèche,
 se de cel péchié se redrèche,
 dès ce qu'il se repentira
 et pour son péchié gémira,
 Dieu tantost le péchié oublie; 2205
 et par l'Escripture s'i lie
 Dieu, qui ayme de sa nature
 homme, comme sa créature.
 Quant homme touzjors ne séjourne
 u péchié, mès vers Dieu se tourne 2210
 et requiert sa miséricorde,
 Dieu luy pramet et luy acorde,
 qui nulluy ne va décevant,
 combien quë il l'èt par devant
 despit en estat de péchié, 2215
 quant par grace s'est redrèchié,
 que jamès ne l'en souvendra,
 quer jà Dieu tant ne mesprendra;
 s'il jujoit .II. fois d'une chose,
 ce seroit tort; c'est texte et glose. 2220
 Quanque je di est vérité;
 je ne di fors auctorité;
 jà n'aura en ma rëson clut.
 Or dit le Déable et conclut,
 qui ses fausses rësons ameine:
 2225
 donc aura homme sans fin peine
 pour ce qu'il fut sans fin coupable.
 Il ment, Sathenas le Déable!
 Il veult, par sa male aventure,
 de fausses prémisses conclure 2230
 que chescun sage doit despise;

who wished to become
 the new man; you should remember that! 2190
 Now you keep saying and arguing,
 and you never leave this point:
 man sinned in his folly
 against infinite goodness.
 You cannot grumble in any other way; 2195
 this is how I answer you and explain:
 if Adam sinned by his wrongdoing,
 God also gave us this advantage:
 that He wanted, still wants and determines
 according to the divine Scripture, 2200
 that if any poor sinner sins,
 if he makes amends
 as soon as he repents
 and makes moan because of his sin,
 then God immediately forgets the sin, 2205
 and God binds Himself to this by the Scriptures,
 God, who by His nature, loves man
 as His creation.
 When man does not remain always
 in sin, but turns towards God 2210
 and asks for His mercy,
 God promises and gives [it] to him,
 —however much He had despised him before
 in his state of sin—
 God who deceives no one 2215
 promises and grants to him, once he has made amends by grace,
 that He will not remember it;
 for God will never make such a mistake.
 If He judged something twice
 it would be wrong; the text and the gloss say so. 2220
 Everything I say is the truth;
 all I say has backing,
 there will be no defect in my reasoning.
 Now the Devil states and concludes,
 bringing forward his false reasons: 2225
 'Therefore man should have punishment without end
 because he was eternally guilty.'
 He lies, Satan the devil.
 Unfortunately for him he is trying
 to draw a conclusion from false premises 2230
 which every informed person should despise;

mès il deüst conclure et dire:
 se la coupe est, tout soit elle orde,
 destainte par miséricorde,
 par grace doit estre abessée
 la peine, et du tout effaciée;
 quer, si com l'Escripture conte,
 aussi com la vertu sourmonte
 ou le vice, ou la mauvaise euvre,
 tout autressi la grace queuvre
 le péchié et du tout efface.
 Pour ceu fist Dieu à homme grace;
 par miséricorde seront
 ceulz sauvez, qui bien fineront."

Le Déable fut si courchié,
 quant il vit que si acourchié
 fut du tout en tout son affère,
 qu'il ne savoit qu'il deüst fère;
 mès, plein de rage et de grant ire,
 prist à tencier et à mesdire,
 et disoit à nostre Advocate:
 "Combien que pour voir me débata
 et que mes rèsons soient justes,
 tu me mesdis touzjors et fustes!
 Ne me chaut, fors que ne me touches;
 tu tenches et dis tes reprouches;
 tu pleures et plains et souspires,
 tu sanglotes, tu te dessires;
 tu montres à ton filz ton ventre,
 et tel pitié u cuer li entre
 que tu par force l'amolies!
 Il prent à bon gré tes folies;
 quant tu li monstres ta mamèle,
 tu le treiz si à ta cordèle
 qu'il ne t'a pover d'escondire!
 Quant tu ris, il le convient rire;
 quant tu pleures, il veut pleurer;
 il te par veut trop hennourer!"

Dist la Virge: "Or entent a moy.
 Bien est voir c'onques ne t'amoy;
 tu esmeüs ceste atayne;
 mon grant pouvoir et ma hayne
 verras tu en lieu et en tens.
 Tu scèz les droiz et les entens:

2235

2240

2245

2250

2255

2260

2265

2270

but he should conclude and say,
 if the fault, however awful,
 is wiped out by mercy,
 then the punishment should be remitted
 by grace, and effaced completely;
 for, as the Scripture tells,
 just as virtue overcomes
 both vice and evil deeds,
 just so grace overcomes
 sin, and completely effaces it.
 'This is why God showed grace to man;
 through His mercy will those be saved
 who make a good end."

The Devil was so enraged
 when he saw how he was cut off
 so completely in his suit,
 that he did not know what he should do,
 but, full of rage and great anger,
 he began to quarrel and hurl insults,
 and he said to our Lady advocate:
 "However truthfully I argue,
 and however just my arguments are,
 you are always speaking ill of me and castigating me;
 I don't mind, provided you do not touch me;
 you quarrel and you reproach,
 you weep and moan and sigh,
 you sob and rip your clothes;
 you show your Son your belly,
 and such pity enters His heart
 that you soften Him up by force.
 He accepts your foolishness
 when you show Him your breast;
 you pull Him so on your leash
 that He has no power to contradict you;
 when you laugh, He has to laugh;
 when you weep, He wants to weep;
 He wants to honor you too much."

The Virgin said: "Now listen to me.
 It is true that I never liked you.
 You provoked this attack.
 In the right time and place, you will see
 my great power and my hatred.
 You know the Laws and you understand them;

2235

2240

2245

2250

2255

2260

2265

2270

bien scèz, nul ne t'en peut aprendre,
 qui a cause de soy deffendre,
 non pas par plours tant soulement
 mès par aguèz et soutilment,
 doit son adversaire grever
 pour sa bonne cause achever. 2275
 Se tu te tiens pour décheü,
 chescun a bien apercheü
 que c'est tout par ta fole emprise:
 Blasme t'en donc; si t'en desprise!"
 Sathanas dist: "J'ay bien prouvé
 que je n'ay nul ami trouvé
 en cest ostel n'en ceste court:
 chescun m'y hêt et suz me court;
 chescun m'i despit et menace;
 chescun m'i court à la harace. 2280
 Je n'i truis nul qui me conseille,
 mès chescun te soufle en l'oreille
 et chescun te lobe et te flate."
 A ceu respondi l'Advocate
 et dist: "Sathanas plein d'envie,
 de ceu ne te merveille mie.
 Tu peus bien entendre et savoir
 qu'ès cyex ne pourras tu avoir
 conseil ne confort ne aide.
 Mauvèz, desloial, homicide, 2290
 avise toy, si te repren;
 se tu veulz conseil, si le pren
 de ceulz d'enfer et de ta route,
 que je ne crein rien, ne ne doute;
 pren en tant comme tu voudras
 et les qu'ex: rien ne me toudras;
 nul de vous ne me peut rien toudre.
 Or m'entent; entent, je voil soudre
 à toutes les objections
 et à toutes les questions 2310
 que nul me pourroit opposer,
 tant sceüst sutilment gloser.
 "Je croy que nulluy ne fêt doute
 que la Sainte Trinité toute
 homme par grant sens ne feïst,
 tout fust ceu qu'après mespreïst.
 Dieu cria tout l'Umain Lignage 2315

You know, no one needs to teach this to you, 2275
 that whoever is a defendant in a case
 should defeat his adversary,
 not only by tears,
 but by setting traps, and cleverly,
 in order to bring his case to a good conclusion. 2280
 If you consider that you have lost your case,
 everyone has seen
 that it was all because of your crazy carryings-on;
 blame yourself, therefore; I despise you."
 Satan said: "I have proved 2285
 that I have found no friends
 in this house, nor in this court.
 Everyone hates me and attacks me;
 everyone despises me and threatens me;
 everyone hastens to harass me; 2290
 I find no one to give me counsel,
 but everyone whispers in your ear,
 and everyone fawns on and flatters you."
 To this the lady advocate answered,
 saying: "Satan, full of spite, 2295
 do not marvel at this.
 You may well know and understand
 that in heaven you cannot have
 counsel, or support or help.
 Evil, dishonest, homicide, 2300
 seek counsel and start again;
 if you need counsel, seek it
 from those of Hell and of your train,
 for I fear nothing, am afraid of nothing;
 seek as much as you want 2305
 and of whatever kind; you will take nothing away from me;
 none of you can take anything from me.
 Now listen to me; I will counter
 all objections
 and all the questions 2310
 that could be raised against me,
 however subtly they were explained.
 "I think that no one is in doubt
 that the entire Holy Trinity
 created man very wisely, 2315
 no matter how badly man offended later.
 God created the whole Human Race

pour estre hoirs du droit héritage
 de paradis, qu'il a pramis
 à ceulz qui seront ses amis. 2320
 Se touz ceulz qui sont d'Adam nez
 estoient à mort condempnez,
 y s'ensuyvroit, je n'en dout mie,
 que Dieu auroit par grant folie,
 non par sens, mès par vanité, 2325
 establi toute humanité;
 et ceu ne peut ne ne doit estre;
 ce seroit vice au roy célestre;
 ce n'affiert pas à déité.
 Di, Sathanas, en vérité, 2330
 tout soit ceu contre conscience,
 doy je pour moy avoir sentence?"
 Le Déable se ravisa
 et cuer à brachies pris a:
 "Je lo," dist le Mauvès, "et prise 2335
 iceste rèsou qu'elle a prise,
 qu'elle a trouvée toute neuve,
 quer elle est pour moy! Je le preuve;
 valoir me doit et non pas nuyre.
 Elle dit: 'se Dieu veut destruyre 2340
 Adam et touz les filz Evain,
 le fourmer en fut faus et vain,
 et tyex ouvraignes furent foles.'
 J'arguë ainsi de ses paroles;
 vous, Trinité, bien les oïstes; 2345
 quanque vous fêtes et feïstes
 fut fêt par sens et par mesure.
 Or est ceu bien chose seüre
 qu'angres feïstes et criastes
 et aprez ceu les condempnastes: 2350
 pour ceu suy jeu tourné a perte.
 Donques est ce bien chose aperte
 que toutes choses pas ne furent
 fêtes par sens, si comme il durent,
 ou à grant tort condempnez fusmes 2355
 et mauvèse sentence eüsmes.
 Nous devons estre délivrez
 ou touz hommes à mort livrez.
 Or regardez si rèsou di."
 Nostre Advocate respondi 2360

to be legal heirs of the inheritance
 of Paradise, which He has promised
 to those who will be His friends. 2320
 If all those born of Adam
 were condemned to death,
 it would follow, I have no doubt of it,
 that God would have, in great folly
 — not in wisdom but in vanity— 2325
 established all Humanity,
 and this cannot nor must not be;
 this would be a defect in the celestial King;
 this is not appropriate to a deity.
 Say, Satan, in truth, 2330
 even though it be against your conscience,
 should I not have the verdict for me?"
 The Devil thought for a moment,
 then hugged himself:
 "I recommend," said the Evil One, "and I value 2335
 this argument she has brought forward,
 a completely new one she has found,
 for it is on my side. I will prove it;
 it should do me good and not harm.
 She says: If God wants to destroy 2340
 Adam and all the sons of Eve,
 to form them was false and pointless,
 and these creations were folly.
 I argue thus with her own words;
 You, Trinity, heard them; 2345
 whatever You make and have made
 was made in sense and moderation.
 Now it is quite certain
 that You made and created angels,
 and afterwards condemned them; 2350
 it is for this reason that I am lost.
 Therefore it is obvious
 that not all things were created
 according to good sense, as they should have been,
 or else we were very wrongly condemned, 2355
 and we received a wrongful sentence.
 We should be freed,
 or all men delivered up to death.
 Now consider whether I am right."
 Our Lady advocate answered, 2360

Et luy dist: "Filz d'iniquité,
tu mens! Ce n'est pas vérité!
S'il y out une compaignie
d'angres dampnez par lour folie,
qui estoient par nombre diz, 2365
donc ne scèz tu que tu me dis.
.IX. compaignies demourèrent
qui lour Créatour hennourèrent,
et sè ès cyex a .IX. pars ens,
tu ne peus dire que par sens 2370
Dieu ne les criast et feïst,
ne que de rien y mespreïst.
L'umanité voit autrement;
quer, se touz sont à dampnement
et perduz sans rédempcion, 2375
en vain et sans discrecion
furent criez, ce peut l'en dire.
Di, mauvèz, te doit il souffire?
Tu estoies or si hardi!
Se tu scèz rien dire, par di 2380
ancièz que de cy me remue;
et ne tien pas ta bouche mue,
fel, desloial, plein de malice;
requier que l'en face justice
et que bon droit te soit tenu. 2385
Qu'est tout ton grant sens devenu
et ton orguil et tes menaces?
Tu as bien gasté tes fallaces
et mal deffendu ta partie.
Or apert bien ta tricherie! 2390
Tout droit scèz et toute logique!
Respon, se tu scèz, et réplique!"
Sathan se tut, sans mot sonner;
y ne luy tint de jargonner,
quer bien vit, tout parmy son conte, 2395
que sa besoigne iroit à honte,
et par rèsou bien l'entendi.
Il souspira et s'estendi,
et prist si forte fin à fère
que d'enfer l'oïst l'en bien brère. 2400
La Virge pas ne s'oublia;
petit li chalut s'il cria.
A nus genous et à nus coutes,

saying to him: "Son of iniquity,
you lie; this is not the truth.
If, out of the bands of angels
of which there were once ten,
one band was condemned for their sin, 2365
then you don't know what you are saying to me.
Nine companies remained
who honored their creator,
and, if there are in Heaven nine-tenths of them,
you cannot say that God did not create 2370
and make them in good sense,
nor that He did anything by mistake.
It is different with humanity;
for, if all are destined for damnation,
and lost without redemption, 2375
then one could say they were created
in vain and unwisely.
Say, Evil One, is that enough for you?
You were bold enough just now.
If there is anything you can say, say it all 2380
before I leave this place;
and don't keep your mouth quiet,
evil, dishonest one, full of malice;
I ask that justice be done,
and that you be given a proper hearing. 2385
What has happened to all your great skill
and your pride and your threats?
You have wasted your false premises
and represented your party badly.
Now your trickery is apparent. 2390
You know all the Law and all the Logic;
answer, if you can, with a counter-argument."
Satan was silent, without saying a word;
he did not care to object
for he was well aware that his efforts 2395
would bring him defeat, as he was speaking.
And he was quite right in this.
He sighed and stretched
and began to make such a great summation
that they could hear him yelling from Hell. 2400
The Virgin did not forget herself;
she did not care if he howled.
On her knees and elbows,

toutes ses vesteüres routes,
 dist à son chier filz en plourant: 2405
 "Beau filz, que vas tu demourant?
 Fey nous droit, si en est sèson,
 et donne à chescun sa rèson."
 Jhésucrist fist fère silence
 pour miex entendre sa sentence, 2410
 que nul n'i peüst mètre y son:
 "Or oez," dist il, "nous dison
 par sentence diffinitive,
 combien que Sathan en estrive
 et qu'il s'en pende et s'en esrage, 2415
 que touz ceulz de l'Umain Lignage
 qui auront par dévociõn
 repentance et confessiõn,
 et en contrictiõn mourront,
 devers nous sans fin demouront. 2420
 Nul n'i ait qui plus s'en débata;
 mout a [bien] plèdié l'Advocate,
 la Virge Marie, ma mère."
 Le Saint Esperit et le Père
 distrent donques tout hautement: 2425
 "Se Dieu le Filz veut proprement,
 et sa mère, homme soustenir,
 qui pourroit encontre venir?
 Nul ne pourroit homme entreprendre,
 puis qu'eulz l'ont empris à deffendre; 2430
 et la Virge est de tel mérite
 qu'elle ne doit estre escondite,
 combien que la chose soit grande,
 meïsmement quant droit demande."
 Atant fina la question, 2435
 et fut à grant confusion
 le Déable jus abatu
 qui pour nient se fut débatu;
 et ceulz qui ès cyex demourèrent
 si très grant joie démenèrent 2440
 c'onques tele ne fut oïe.
 Toute la court fut esjoïe
 pour la sentence qu'ils oïrent;
 et adonc ceste antiène firent,
 que Saint Eglise encor recorde: 2445
 "Rayne de miséricorde

with all her clothing torn,
 she said weeping to her dear Son: 2405
 "Fair Son, what are You waiting for?
 Make a judgment, it is time,
 and give each his due."
 Jesus Christ called for silence
 for the hearing of His sentence, 2410
 so that no one should make a sound:
 "Now hear," He said, "We pronounce,
 in a final verdict,
 that however much Satan may struggle
 and work himself up and rage, 2415
 all those of the Human Race
 who have repented and confessed
 in devotion
 and died in contrition
 will remain with Us forever. 2420
 Let no one make further arguments;
 the Lady advocate has pleaded well,
 the Virgin Mary, My mother."
 The Holy Spirit and the Father
 then said aloud: 2425
 "If God the Son and His mother
 want to support the Human Race
 who could be against it?
 No one could attack Man
 if these two are for the defense, 2430
 and the Virgin has such merit
 that she should not be denied,
 however great the matter,
 especially when she asks for justice."
 Thus the whole affair ended, 2435
 and the Devil was beaten down
 in great confusion,
 he who debated for naught,
 and those who remained in Heaven
 manifested such great joy 2440
 as never before was heard.
 The whole court was overjoyed
 by the judgment that they heard
 and then they sang this anthem
 which the Holy Church still remembers: 2445
 "Queen of mercy,

qui au monde as huy tant valu,
 chescun de nous te rent salu,
 nostre douchour et nostre vie,
 nostre espérance, nostre amie,
 2450 raïne de très grant value,
 chescun derrechief te salue."
 En paradis se déduisoient
 les sains, qui l'antiène disoient;
 le chief en chantèrent et distrent,
 2455 et tout le remanant apristrent
 à ceulz qui en char et en os
 estoient; bien vanter m'en os,
 quer ce fut, à m'entencion,
 par sainte révélation.
 2460 L'antiène est en la fin dévote,
 qu'à Nostre Dame chante et note
 l'Eglise par dévotion:
 "Ma Dame, mercy te crïon,
 qui sommes filz d'Eve essiliez,
 2465 en cest faus monde périlliez;
 en gémissant et en plourant,
 souspiron, en toy hennourant,
 ma Dame, que tu nous confermes
 en cest faus monde plein de lermes.
 2470 Ah, nostre douce Advocate,
 tu n'es ne ne peus estre mate,
 mès tu mates bien les déables.
 Vers nous tes douz yex pitéables
 tourne, qui tant sont gracieus,
 2475 et Jhésu, ton filz glorieus,
 en cui touzjors ton confort as,
 le saint fruit qu'en ton cors portas,
 nous monstre, douce Virge monde,
 aprèz l'essil de cest faus monde.
 2480 O débonnière glorieuse,
 o débonnaire gracieuse,
 o très douce Virge Marie,
 essaue qui de cuer te prie."
 2485 Ainsi l'antiène défina,
 qui bon chief et bonne fin a,
 en quoy Sainte Eglise recorde
 le bien et la miséricorde,
 le pover et la plèderie

who was so helpful to the world today,
 each of us salutes you,
 our sweetness and our life,
 our hope, our friend,
 2450 queen of great worth,
 each one salutes you once again."
 The saints in Paradise
 who intoned this anthem rejoiced;
 they said and chanted the beginning,
 2455 and taught all the rest
 to those who were of flesh and blood.
 And I may congratulate myself
 that this was directed to me
 by a holy revelation.
 2460 The anthem is the pious celebration
 that the Church sings and plays
 to Our Lady in devotion:
 "O my Lady, we cry you mercy,
 who are the exiled sons of Eve
 2465 in this perilous false world;
 trembling and weeping
 we sigh, in honoring you,
 my Lady, that you support us
 in this false world full of tears.
 2470 Ah, our gentle Lady advocate,
 you cannot ever be defeated
 but you indeed defeat the devils.
 Turn towards us your tender eyes
 of mercy that are so gracious,
 2475 and show us Jesus, your glorious Son,
 in whom you always have your support,
 the holy fruit you bore in your womb,
 sweet unspotted Virgin,
 after the exile of this false world.
 2480 Oh glorious, kind one,
 Oh gracious, kind one,
 Oh most kind Virgin Mary,
 hear those who pray to you from the heart."
 Thus the anthem ended
 2485 which has a good beginning and a good end,
 in which the Holy Church remembers
 the goodness and the mercy,
 the power and the advocacy

de la douce Virge Marie,
 comment le monde délivra:
 et c'est tout quanqu'en mon livre a.
 Pour cela qu'en vaut le celer,
 doit l'en le livret apeler
L'Advocacie Nostre Dame:
 quer el deffent le cors et l'ame
 de tuyt cil qui la veut amer
 et à son besoing réclamer.

2490

2495

of the holy Virgin Mary,
 how she delivered the world,
 and this is all my book contains.
 For that reason — why hide it? —
 the book should be called
The Advocacy of Our Lady:
 for she defends the body and the soul
 of all those who want to love her
 and call upon her help in their need.

2490

2495

NOTES TO *OUR LADY'S ADVOCACY*

The title of this work may be ascribed to the poet's knowledge of the *Salve Regina*, an antiphon widely known and loved during the Middle Ages (see Introduction, page xxvii, for the full text in Latin and English). Mary's defense of the human race reflects the Latin source of the word "advocate": *advocatus* (fem. *advocata*), called to aid a cause in a court of justice, someone who pleads or intercedes on behalf of another (OED). The Devil's name derives from the Hebrew *ha-satan*, meaning the accuser or adversary.

Lines

10–11. "Whoever is married to her in his heart" is a favorite topos of Gautier de Coinci (1177/78–1236), known for his collection of Marian songs and tales. The fourth stanza of Song 4, Book I, for example, reads: "Marions nous a la virge Marie. / Nus ne se puet en li mesmarier. / Sachiez de voir, a li qui se marie / Plus hautement ne se puet marier": "Let us marry the Virgin Mary. / No one can marry badly who marries her. / Know for a truth, that the one who marries her / can never marry higher": V. Frederic Koenig, ed., *Les Miracles de Nostre Dame par Gautier de Coinci* (Geneva: Droz, 1966), 1:30.

44. According to the apocryphal *Gospel of Nicodemus*, Jesus descended into Hell after His crucifixion and freed all the souls who had been held there by the Devil since the Fall. The Latin version of this fourth-century account, found in Part II of the *Gospel*, became popular in the Middle Ages as the *Evangelium Nicodemi*, and Jesus's liberation of souls was later called the "harrowing of Hell." A summary of the *Evangelium Nicodemi* and its vernacular tradition can be found in Zbigniew Izydorczyk, "Introduction," in idem, ed., *The Medieval Gospel of Nicodemus*, MRTS 158 (Tempe, AZ: ACMRS, 1997), 4–19. See also Montague Rhodes James, ed. and trans., *The Apocryphal New Testament*, 2nd ed. (Oxford: Clarendon Press, 1989), 94, 117–44.

46. The idea that Mary's womb contained "Him whom heaven and earth cannot contain" is found in Sermon 142 of Peter Chrysologus (d. 450), according to Hilda Graef, *Mary: A History of Doctrine and Devotion* (London: Sheed and Ward, 1985), 116. It was familiar from the hymn attributed to Venantius Fortunatus (d. 610), "Quem terra, pontus, aethera" (or "sidera").

54–57. Exod. 20:12.

68–70. Swearing fealty to the Virgin and placing oneself under her protection is a theme common to many lyrics of the thirteenth century, expressed in lines such as “Mains jointes li fais de mon cuer lijance . . . Et encontre touz son fief garantir,” “With joined hands I offer allegiance to her . . . and defend her fief against all [enemies]”: *Recueil de chansons pieuses du XIII^e siècle*, ed. Edward Järnström and Arthur Långfors (Helsinki: Suomalaisen Tiedeakatemian Toimituksia, 1910), 1:25.

74–88. The image of Mary moving her Son’s heart to mercy by recalling His childhood and her care for Him—particularly her breast-feeding Him—is one of the most popular tropes in Marian literature, including the *Miracles de Notre Dame par personnages*, a series of fourteenth-century plays. See, for example, Mary’s role in “L’Enfant donné au diable,” in *Miracles de Notre Dame*, ed. Gaston Paris and Ulysse Robert (Paris: SATF, 1876), 1:3–56. Lines 85–88, cf. 1 Kings 2:20.

104–105. Mary is never called an advocate in the New Testament. Working from memory, the author might have confused Mary with the Spirit or helper noted in John 16:7. The book to which he alludes as his source is unknown. He may have had access to Jean le Marchant’s *Miracles de Notre-Dame de Chartres* (written between 1252 and 1262), in which Mary is called “nostre avocate.” Earlier, Gautier de Coinci had called her *nostre avocas*, *nostre amparliere*, “the person who speaks for us, our intermediary.” See Gérard Gros, “L’Avocate et sa vocation,” in *Le Jeu théâtral, ses marges, ses frontières* (Paris: Champion, 1999), 125–40, here 133, n. 40. The Virgin’s reputation as an advocate from the time of Irenaeus (c. 125–c. 202) throughout the Middle Ages is attested in Johannes Jacobus Bourassé, *Summa aurea de laudibus Beatissime Virginis Mariae*, vol. 9 (Paris: J.P. Migne, 1862), cols. 871–75. Bourassé lists one hundred and twenty-eight invocations to and descriptions of Mary as advocate in sermons, books of praise, liturgies, and religious treatises.

109–110. St. Paul says of Scripture that it (“elle”) was made for our instruction in 2 Tim. 3:16.

111–118. John 13: 2, 27.

121–130. Gen. 3 and the *Gospel of Nicodemus* (see note to l. 44). The doctrine of original sin held that Adam and Eve’s sin of disobedience was passed on to all members of the human race as a kind of hereditary blot on their souls. Part of the continuing punishment for original sin was death.

137–143. The Eva-Ave theme dates back at least to the time of Justin Martyr (d. 165), who “may have received it as part of the post-apostolic tradition.” The parallelism “became a favourite subject of patristic teaching” (Graef, *Mary*, 1: 37). St. Paul posited a corresponding parallel between Adam and Christ in 1

Cor. 15:22 and 45. The opposition between Eve (damnation, loss) and Mary (redemption, recovery) was emphasized by all the early church fathers.

147–176. Using the metaphor of a mousetrap, Augustine (354–430) observed that God trapped the Devil by the Devil’s own device of deception by using Christ as bait (*Sermo* 130, PL 39.2003–2004, cited by C.W. Marx, *The Devil’s Rights* [Cambridge: D.S. Brewer, 1995], 12). Satan was deceived by Christ’s humanity; although the miracles made him dubious, he could not be sure. Ignatius of Antioch (c. 50–c. 110) “makes the strange statement that both Mary’s virginity and her childbirth were hidden from the prince of this world” (Graef, *Mary*, 1:34). Lines 155–156 refer to Luke 4:2–3, where Jesus is tempted by Satan. Line 165 refers to Jesus’s raising of Lazarus in John 11:43–44, a foreshadowing of the harrowing of Hell after the crucifixion. The belief expressed in line 172 that Jesus was only human (and not also divine) is the heresy of Arianism.

189. Another reference to the *Gospel of Nicodemus* (see note to 44).

204–214. The depiction of Pilate’s wife is found in Matt. 27:19–20. Gros observes that this theme is present in the *Ci-nous-dit*, a work composed about 1318 and thus contemporary with the *Advocacie*, as well as in the later *Livre de la Passion*, ll. 856–903 (“L’Advocacie,” 238).

217–224. See the *Gospel of Nicodemus*, note to 44. The idea that the entire human race was freed from its “servitude” to Satan with the harrowing of Hell is found in Anselm’s *Cur Deus Homo*. Christ’s immediate liberation of souls is also alluded to in line 1666.

256–258. Job 1:6–12, 40–41.

259–278. The idea that the Devil suffers pain wherever he may be comes from Bonaventure (1225–1274), *Sententiarum* Lib. II, Quaestio II: “Gehenna est diabolus, propter quem facta est. Sicut enim gehenna semper ardet, sic diabolus, ubicumque sit, vel in aere, vel sub terra, semper fert secum tormenta flammam”: “Gehenna is the Devil, for whom it was made. Just as Gehenna burns eternally, so does the Devil, wherever he is: in the air, or under the earth, he suffers the torment of flames”: in Bonaventure, *Opera Omnia*, ed. A.C. Peltier (Paris: Vivès, 1864), 2:384. Thomas Aquinas (c.1225–1274) also asserted that demons in our world continue to experience the pain of Hell: *Summa Theologiae* I, q. 64, a.4, reply to Objection 3: *Summa Theologica*, Pars Prima, ed. Giovanni Littini (Turin and Rome: Marietti, 1925), 348–49. We are indebted to Professor Wendy Love Anderson for the reference in Thomas.

296. The name “Satan” means “accuser” or “adversary.” See above at the beginning of these notes.

308. An *information* is a particular document that sets out a complaint. The word appears again, with the same connotation, in lines 317 and 328. The term

is still used in modern law, so we retain it here. It is not to be confused with the general term "information," in the sense of "data." The Devil is here trying to have the trial commenced as a criminal proceeding; but by requiring the other party to be present, the judge is making it look more like a civil suit. Indeed, he refuses the information (lines 328–329) and insists on simply setting a trial date for the Devil to make his claim directly against the defendant, the Human Race.

332–339. Luke 4:2–13; also Matt. 4:1–14 and Mark 1:12–13.

352–358. Satan may mean that he is empowered by his letter of appointment to plead in all manner of suits, criminal and civil. An example of such a letter of appointment may be found in *The Coutumes de Beauvaisis of Philippe de Beaumanoir*, trans. F.R.P. Akehurst (Philadelphia: University of Pennsylvania Press, 1992), §140.

384. Canon law prohibited a lawsuit to be heard on Good Friday, but since God made the laws (l. 394) God can permit the trial to go forward. See Akehurst, *Philippe de Beaumanoir*, §96.

429. "The text and the gloss" refers to canon law. About 1140, an author always subsequently referred to as Gratian completed a compilation of the *Concordantia discordantium canonum*. This text is commonly referred to as the *Decretum*. In a recent book Anders Winroth shows that a second, enlarged recension of the *Decretum* was completed about mid-century, perhaps by the same author (*The Making of Gratian's Decretum* [Cambridge: Cambridge University Press, 2001]). This compendium included canons of church councils, scriptural passages, excerpts from writings of the church fathers, papal decisions (decretals), and, especially in the second recension, passages of Roman positive law, organized into causes and questions. The text was supplemented later in the thirteenth and fourteenth centuries by the *Glossa Ordinaria*, explanations of and comments on the legal issues of the texts. "The texts were never read without the gloss" (R.H. Helmholz, *The Spirit of Classical Canon Law* [Athens, GA: University of Georgia Press, 1996], 15).

441. "Where the pope is, is Rome." A proverbial expression, it could also refer to the Avignon papacy that lasted from 1307 to 1377.

445. John 14:2.

459. Both Roman and customary law (not Scripture) give the parties most of the day to appear.

466. Nones is the canonical hour of nones, about three in the afternoon.

491. This alludes to the myth of Justice leaving earth for heaven: e. g., in Ovid, *Metamorphoses* 1.150. The meaning of *audience* in this context presents some difficulties. The general meaning (line 501) is "hearing" and therefore "tribunal,"

but line 506 clearly refers to a marshal or officer of the court, someone acting more or less in the capacity of a bailiff in a modern American court. In the Anglo-Norman of the fourteenth century, *bailli* (from which "bailiff" is derived) referred to a judge/administrator. It seems unlikely that the whole crowd of souls present should be called on to make the announcement. (There is a Latin word, *audientarius*, which Du Cange renders "*scriba, notarius forensis, Gall. Audienier*" or clerk of the court: *Glossarium*, 1: 470.)

531–532. Custom requires fines or other punishments when a party arrives late.

576–597. Book 3, Chapter 1 of the Justinianic (Roman law) Code states, "It is decreed that in all matters preference should be given to justice (*iustitia*) and equity (*aequitas*) rather than to the demands of the strict law (*strictum ius*)" (quoted in Don Hurter Van Zyl, *Justice and Equity in Greek and Roman Legal Thought* [Pretoria: Academica, 1991], 90). "Pure justice" is based on natural law and refers to the concept or virtue of rendering to each his own, complying with the law. "Strict justice" or rigor, on the other hand, goes further and may provide penalties or punishments for transgressing the law, while "equity" shows consideration for the circumstances of the alleged transgression. Satan makes his claim for "strict justice," or eternal punishment of human souls; for Mary, justice means equity or mercy. James A. Brundage, *Medieval Canon Law* (London and New York: Longmans, 1999), 156, states that "[f]ourteenth century writers . . . elaborated the distinctions between justice, equity and law . . . These writers regarded equity as a principle of mitigation, which adjusted the rigors of strict law to the varied needs of individual situations." See also Judith M. Davis, "Giving the Devil His Due: Justice and Equity in the *Advocacie Nostre Dame*," in *Courtly Arts and the Art of Courtliness*, ed. Keith Busby and Christopher Kleinheinz (Woodbridge: Boydell & Brewer, 2006), 373–84.

611–612. Recalls Jesus's statement in Luke 10:18, "I saw Satan falling like a star from heaven."

683–684. These lines are somewhat obscure. *Sarge* may refer to an arras or tapestry wall-hanging, while *tapis* is readily identifiable as "carpet." The sense of the lines suggests that Satan, arriving early, sought to conceal himself (perhaps in order to spy upon his opponent and learn something of her strategy) but found no suitable hiding place. According to James A. Brundage, "consistory court rooms came in many different styles. Some courts met in a side chapel in a cathedral or other church. [Others] often met in a room in the bishop's palace, while a few had separate buildings of their own. I think it very likely that the *sarge* could refer to wall hangings (no doubt to keep out the chill), while the *tapis* might well be a bit of carpet, since advocates and proctors were usually directed to 'stand in the customary place' when pleading in court" (electronic communication to F.R.P. Akehurst, 3 November, 2007).

716. The antiphon *Ave Regina Caelorum*.

721–727. A reiteration of the *felix culpa* or “happy fault” topos expressed in the *Exultet* on Easter Eve: if Adam and Eve had not sinned, Christ would not have come to redeem the human race.

749. Again 1 Kings 2:19.

809. God as Justice and Truth is found in John 1:14 and 14:6, also in the second book of Wisdom 7:28; Ps.110: 7; and Rom. 2:2.

812–821. The judge has urged the Devil to begin his case on the substantive issue. But the Devil knows that he must not do so until he has made all his *in limine* (preliminary) challenges, for if he addresses the substance he will have waived his right to various procedural objections. Courts generally prefer to decide cases on the merits; this preference underlies the rule that preliminary procedural issues are waived if not raised at the first opportunity and before the substantive issues are joined, a rule reflected even today, for example, in Rule 12(g) of the Federal Rules of Civil Procedure. The Devil therefore refuses to argue the merits of his case; instead, he points out that the other party is missing. If he proceeds on a substantive issue he will have waived his right to ask for a default. And, as he had tried to claim the previous night, if the defendant is not present, the defendant (the Human Race) is in default and the Devil wins the suit.

859–861. The *Digest* of the Justinianic *Corpus*, Book III, sec. 3 concerns women’s roles in a court of Roman law. In regard to canon law, see Introduction, n. 65.

890–900. “Generally” here, and a few lines later, “special” are used in their legal sense. In legal language the word “generally” has the meaning of “normally, in the great majority of cases, without specificity,” whereas “specially” has the meaning of “in particular, specifically.” The Virgin is agreeing that the general rule is that women may not be lawyers, but she claims that they may in certain special circumstances, which obtain here. In his *Tractatus*, Bartolo da Sassoferrato justifies Mary’s presence in court by saying, “Nost[r]i iudex fili mi . . . licet mulieres non admittantur ad postulationis off[iciu]m, t[ame]n pro miserabilib[us] personis coniunctis, pupilis, & viduis bene admittuntur,” “Our judge, my Son . . . granted that women may not be admitted to serve as plaintiffs [in court]; however, in the case of poor married folk, minors, and widows they may indeed be admitted” (128 *recto*).

922–923. Canon law provided for the defense even of those who had rejected the church or who were not Christians.

935. Early church fathers—e.g., Ambrose (d. 397), Epiphanius (d. 403) and Jerome (d. 420)—proclaimed the perpetual virginity of Mary before, during,

and after Christ’s birth, although the apocryphal *Protevangelium of James* had emphasized it earlier, in the second century.

938. The author echoes here and elsewhere tropes of Marian lyrics of the 12th and 13th centuries. See for example Järnström and Långfors, *Recueil*; Marcia Jen-neth Epstein, *Prions en chantant: Devotional Songs of the Trouvères* (Toronto: University of Toronto Press, 1997); and Daniel E. O’Sullivan, *Marian Devotion in Thirteenth-Century Lyric* (Toronto: University of Toronto Press, 2005).

947–950. See Num. 17:8–10 for the account of Aaron’s rod. In Marian symbolism, it can represent her fecund virginity. The *Protevangelium* also uses this topos in depicting the choice of Joseph as Mary’s husband.

972. An interlocutory judgment is pronounced during the course of an action but is not a final decision. Satan keeps asking for interlocutory judgments (cf. line 1124), hoping to thwart Mary’s claims on behalf of humanity by winning on procedural grounds.

1004. Church fathers and medieval scholastics alike, although they differed regarding the Devil’s *rights* to human souls, did not dispute that he held them until Christ redeemed them through His death on the cross. The Devil’s “possession” of souls before baptism is attested in the rites of exorcism that preceded the reception of catechumens into the Church on Holy Saturday. See Henry Ansgar Kelly, *The Devil at Baptism: Ritual, Theology and Drama* (Ithaca: Cornell University Press, 1985).

1077. *Nulle longue prescription*: Since the word “prescription” (which has many meanings) survives in English usage mostly only in the expression “prescriptive right,” which could easily be misunderstood, we have avoided the use of “prescription” here and used the modern legal equivalent in Anglo-American law, “adverse possession.”

1083. The Roman law of possession, like the medieval law of possession, is extremely complicated. A word we could have used is *detentor* as explained by Barry Nicholas, *Introduction to Roman Law* (Oxford: Clarendon Press, 1962), 112.

1089. Cf. *Digest* 41.2.

1105–1108. Gen. 1:26–27. In traditional exegesis the “us” and “our” (plural) in “Let us make” and “our image and likeness” referred to all three Persons of the Trinity.

1144–1150. Gen. 2:16–17 (Yahweh addresses the man); Gen. 3:2–3 (dialogue between the woman and the serpent).

1163–1173. Gen. 3:6–24 (the Fall).

1174. See also line 809 for the depiction of God as justice and truth.

1197–1210. Gen. 3:1–5.

1235. The Decretals, part of canon law, represent the decisions and opinions of various popes. Several collections had been made since the *Decretum* was compiled in the twelfth century and the era in which this poem was written.

1250–1276. Satan is bypassing the formal complaint procedure and going straight to the judge, as if to a court of equity.

1295–1328. Mary refers at length to the election of remedies, an important element of Roman law: the *Digest*, 14.4, states (“De tributoria actione”) that the plaintiff must choose a cause of action and see it through. She continues to refer to Satan’s choice throughout her argument to her Son.

1311. Mary anticipates that the Devil may try the defense of confession and avoidance, e.g., that he might have had something to do with the Fall but that God still was obliged to punish the human race.

1355. A plea for an “extraordinary remedy” is a claim for which the plaintiff has no action at common law; it is an appeal for equity, or fairness. In this situation, Satan wants all of the souls he lost restored to him, called in Roman law *restitutio in integrum* (*Digest* 4.1) or complete restitution of a party to the position he or she would have been in but for some circumstance beyond the control of the party. See George Long, “Restitutio in Integrum,” in William George Smith, ed., *A Dictionary of Greek and Roman Antiquities* (London: John Murray, 1875), 987–88; “Restitution,” in *Black’s Law Dictionary*, 4th ed. (St. Paul: West, 1957), 1477. Here, Satan uses the term to request restitution to his possession of the souls rescued from Hell by Christ, pleading that whatever the result of his claims, God should nevertheless condemn the human race for disobedience. Mary says he should not be allowed to do this, as he has chosen his legal theory, and lost, so he should not be able to plead a different theory.

1376. *Res judicata*: a matter or case already judged so that it cannot be raised again. See Akehurst, *Philippe de Beaumanoir*, §216.

1397. The turtledove is a traditional image in the “bestiaries of Our Lady” as well as in lyric poetry. See for example “Les neuf joies de Nostre Dame,” “The Nine Joys of Our Lady,” a poem attributed to Rutebeuf, l. 104: “Turtre qui ses amors ne mue,” “Turtledove who changes not her love.” According to medieval bestiaries, the turtledove is chaste, gentle to its young, and faithful to its companion.

1441. This is a prominent image in patristic writing.

1145. John 19:25.

1468. Luke 2:35.

1504. Mary’s statement echoes Moses’ appeal to God in Exod. 32:32: “If you do not forgive the Israelites’ sin then take me out of the book you have written.” See also Apoc. 13:8, 20:15, and 21:27.

1518. A proverb: see J.W. Hassell, Jr., *Middle French Proverbs, Sentences, and Proverbial Phrases* (Toronto: PIMS, 1982), 78, no. C 233.

1549–1550. Our translation is based on the understanding of *qu’i* as *qui* = *si l’on*. The *que* of line 1550 goes with the *si bien*, so that the *qu’i de droit ne faudra* is parenthetical. *Defaute de droit* is the failure to give a hearing; Akehurst, *Philippe de Beaumanoir* (62) uses this expression to indicate a lack of responsiveness in a judge, which is subject to appeal. See also line 1984.

1563. John 14:30; but John 12:31 says “cast out.”

1615. *Touz quites* refers here to a complete release to Satan of all the souls of the sinful. This would amount to an action of *quiteclamer* (modern “quitclaim”) or renunciation of all claims to possession, on the part of Heaven.

1642. The idea that good and evil had already been weighed is attributed to Caesarius of Arles (d. 543) (cf. Homily 14, PL 67.1075–1077). It is also expressed in the *Vexilla Regis*, a hymn composed by Venantius Fortunatus (d. 601). Sung regularly during the week commemorating Christ’s passion and death, the hymn refers to Christ’s reign *a ligno*, (alluding to Ps. 95:10 [Vulgate]) from a tree, whose branches are compared to the two arms of a scale. The fifth stanza reads: “Beata, cujus brachiis / pretium pendit saeculi, / statera facta corporis, / tulitque praedam tartari,” “Blessed tree, on whose branches / hung the price of the world / thou, balance where His body lies / take from Hell its stolen prize.” The idea is found at line 1441 and repeated at ll. 1650, 1654–1655, 1663–1664, 1679.

1657–1662. Luke 24:39–43.

1727. *Cointance* refers to acquaintance, friendship. Gros interprets it as “favor” (“L’Advocacie,” 263), and the context suggests that one should give no favors to friends or judge automatically against enemies. If that should happen, according to line 1739, “favoritism would reverse justice.”

1811–1814. The dualism expressed by Paul in Rom. 7:18–24 formed the basis for the body-soul conflict elaborated by centuries of theologians. Lines 1855–1858 reiterate this principle.

1790–1805; 1835–1850. Thomas Aquinas (*Commentum in Quatuor Libros Sententiarum Magistri Petri Lombardi*, Book III, Distinction I, Question I, Article II) is the source of Mary’s arguments. His commentary on Peter Lombard’s *Sentences* proposed six reasons why the sin of the angels was more deserving of lasting punishment (quoted in Hope Traver, “The Four Daughters of God,” *PMLA* 40 [1925]: 44–92, here 85, n. 10). “The fall of Satan and his minions was [a]

particularly important topic, because it focused theological reflection on the relationships between God's Providence, rational free will, love, faithfulness, and sin" (David Keck, *Angels and Angelology in the Middle Ages* [New York: Oxford University Press, 1998], 24). Jacobus de Voragine describes the archangel Michael's victory over the rebel angels and the subsequent banishment of the fallen in *The Golden Legend*, written about 1260: William Granger Ryan, trans., 2 vols. (Princeton: Princeton University Press, 1993), 2: 205.

1866–1867. Gen. 3:3.

1910. From a clause in the Nicene Creed.

1920–1925. The study of logic was well entrenched in the schools by the beginning of the fourteenth century. These remarks by the Virgin belong to fairly elementary aspects of the syllogism, the basic building block of formal argument. Elements of logic are found in several of Aristotle's works, but he states in *Posterior Analytics* I.16 that "...in the case of atomic propositions erroneous inference will be possible not only when both premisses are false but also when only one is false." See Richard McKeon, ed., *The Basic Works of Aristotle* (New York: Random House, 1941), 134; and Hugh Tredennick and E.S. Forster, trans., *Posterior Analytics and Topica* (Cambridge, MA: Harvard University Press, 1966). An explanation of the principles applied by Mary appears in Jacques Maritain, *Formal Logic*, trans. Imelda Choquette (New York: Sheed and Ward, 1946), 99–147, esp. 102–3.

1983. Denial of justice is failure to give a hearing. Mary is suggesting that God should not listen to Satan any longer. He claims that that is a denial of justice; God seems to agree, and lets him speak.

2025–2045. Satan here is asking for "strict justice," the utter and eternal condemnation of the human race.

2113–2115. Augustine and Anselm are in accord on this point.

2158–2164. This is the viewpoint of Anselm in *Cur Deus Homo*.

2190. See Eph. 2:15, 4:24; Col. 3:10.

2223. We have translated this line as "there will be no defect in my reasoning." The word *clut* is problematic; Gros interprets it as "conclusion," but that does not seem likely. Montaignon provides a convoluted gloss: "*Clut. Clorre, enclorre, forclos*, viennent de la forme *claudere*; *conclure, reclus, inclus*, employés seulement au participe, viennent de la forme *cludere*, dont vient *clut*, qui est la forme simple; d'où le sens: "Il n'y aura rien qui ferme, qui arrête, qui détruit mon raisonnement" (118). We have followed Montaignon.

2233–2241. Mary argues for equity or mercy due to God's grace. Here she embodies the "mother of mercy" invoked in the *Salve Regina*. Cf. Rom. 5:20.

2360–2372. Traditionally, there have been nine orders of angels, as described by pseudo-Dionysius the Areopagite: Cherubim, Seraphim, Thrones, Dominations, Virtues, Powers, Principalities, Angels, and Archangels. Jacobus de Voragine describes these orders and their functions in *The Golden Legend*, trans. Ryan, (2:203–4) for the feast of St. Michael, Archangel. The author of the *Advocacie* has Mary state (l. 2365) that originally there were ten bands of angels; after the great battle in heaven between some angels who rebelled against God and those who remained loyal to their Creator, only nine remained. The source of this idea appears to be Aelfric the Grammarian (ca. 955–1020), who "expressed the uncommon opinion that the demons were from a tenth order of angels ranked below the nine orders which remained" (Keck, *Angels and Angelology*, 25).

2446–2452, 2464–2485. A paraphrase of the *Salve Regina*.

2471–2473. The word *mat, mater* may here refer to the game of chess, in which case instead of "defeat" the translation could have read "checkmate." The topos of the Virgin Mary as chess queen who always checkmates the black king was made popular by Gautier de Coinci. See Introduction, n. 22.